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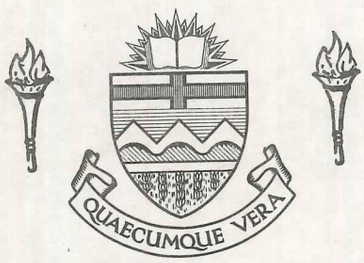
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CEYLON AND BRITISH GUIANA

Colonies

General I

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OF

British Parliamentary Papers

REPORT FROM THE
SELECT COMMITTEE ON
CEYLON AND BRITISH GUIANA
WITH
MINUTES OF EVIDENCE
APPENDIX AND INDEX

Colonies

General

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FIRST

REPORT

FROM THE

SELECT COMMITTEE

ON

CEYLON AND BRITISH GUIANA;

TOGETHER WITH THE

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
18 *May* 1849.

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Martis, 20° *die Februarii*, 1849.

Ordered, THAT a SELECT COMMITTEE be appointed to inquire into the Grievances complained of in the Crown Colonies of CEYLON and BRITISH GUIANA, in connexion with the Administration and Government of those Dependencies, and to Report their Opinion whether any Measures can be adopted for the Redress of any Grievances of which there may be shown just reason to complain, and also whether any Measures can be adopted for the better Administration and Government of those Dependencies.

Martis, 27° *die Februarii*, 1849.

Committee nominated:

Mr. Hume.
Sir Joshua Walmsley.
Sir Robert Peel.
Sir James Hogg.
Mr. Gladstone.
Mr. Charles Villiers.
Mr. Disraeli.
Mr. Hawes.
Mr. Adderley.
Mr. Wilson.
Mr. Stuart Wortley.
Lord Hotham.
Mr. Baillie.
Mr. M'Cullagh.
Major Blackall.

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the Quorum of the said Committee.

Mercurii, 9° *die Maii*, 1849.

Ordered, THAT all Petitions from British Guiana, presented in the Sessions of 1847, 1848, and 1849; also, copies or extracts of the Earl of Aberdeen's despatches to the Governor of British Guiana, dated the 1st day of March 1835, relative to the provision of a Civil List for that colony; also, of any despatches addressed by Lord John Russell to the Governor of British Guiana, relative to the provision of a Civil List, together with any correspondence that may have arisen thereon (presented 23d June 1840), be referred to the Select Committee.

Veneris, 18° *die Maii*, 1849.

Ordered, THAT the Committee have power to Report their Observations, from time to time, to The House.

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REPORT.

THE SELECT COMMITTEE appointed to Inquire into the Grievances complained of in the Crown Colonies of CEYLON and BRITISH GUIANA, in connexion with the Administration and Government of those Dependencies, and to Report their Opinion whether any Measures can be adopted for the Redress of any Grievances of which there may be shown just reason to complain, and also whether any Measures can be adopted for the better Administration and Government of those Dependencies;——HAVE proceeded to inquire into the Condition of BRITISH GUIANA, and have agreed to the following REPORT:

YOUR Committee will address themselves in the first instance to questions relating to the Civil List of the Colony, in respect to which serious differences have existed between the executive and representative Authorities of the Colony; the result being the expiry of certain Ordinances, by which a very considerable portion of the Colonial Revenue was raised.

In order to explain the view they have taken of the question relating to the Civil List, it will be necessary to give some account of the form of Government which exists in the colony.

The constitution of Demerara and Essequibo, which, united in 1831 with Berbice, form the present colony of British Guiana, is of Dutch origin, and is very peculiar in its character. While the colony belonged to Holland, there is no doubt that the powers intrusted to the colonists were very much more restricted than at present, and that the authority retained by the Dutch Government, though not constantly exerted, was absolute; but by various modifications which have from time to time been introduced into the constitution of the colony (some of them, in the first instance, without any proper or legal sanction), the power now exercised by the Crown is practically limited in a manner quite unknown previously to the cession of the colony.

Despatch from Lord Aberdeen to Sir Lionel Smith, of 1st March 1835. Parl. Paper, 404 of 1840, p. 3 *et seq.*

At present the different powers, executive and legislative, of the Colonial Government, are exercised by the Governor and two bodies known by the names of the "Court of Policy" and the "Combined Court." To the Governor of course the executive power belongs exclusively; the power of ordinary legislation to the Governor and Court of Policy,—subject however to the power of the Crown to pass, by Order in Council, laws which cannot be altered by the authority of the Colonial Legislature; the authority to levy taxes and control the finances, is exercised by the Governor and Combined Court.

The Court of Policy consists of an equal number of official and non-official (or, as they are commonly called, colonial) members, the Governor having in all cases a casting vote. The Combined Court consists of the Court of Policy, with the addition of certain persons called Financial Representatives.

The colonial members of the Court of Policy and the financial representatives are elected; but the election is conducted in a manner which gives little or no influence to the great body of the inhabitants of the colony.

The colonial members of the Court of Policy are chosen by a body called the College of Electors. This body chooses two candidates for each vacant colonial seat in the Court of Policy, and one such seat becomes vacant every second year

by the retirement of the senior colonial member. The Governor and Court of Policy make choice between these two candidates. The College of Electors are themselves chosen for life, or during residence in the colony, by the votes of persons paying 70 guilders a year of taxes; absentees having the privilege of voting by proxy; and this last privilege, together with the very high franchise above mentioned, places the choice of electors completely in the hands of a very small number of persons.

The financial representatives are chosen by the same body of constituents as the College of Electors—not, like that college, for life, but only for two years. The Governor has the power of dissolving the College of Financial Representatives.

It is obvious that this Constitution does not partake at all of a popular character.

It remains to be stated, that according to the original constitution of the colony, the Combined Court possessed no control over the amount of the colonial expenditure; its functions being strictly confined to determining by what particular taxes the amount of annual revenue should be raised, which was required to provide for the estimated annual expenditure as settled by the Court of Policy, and to auditing the accounts. To the Court of Policy (in which it has been stated the Governor had a preponderating influence) belonged the right of determining the amount of expenditure in the several branches of the public service, and of passing an estimate to meet which it was the duty of the Combined Court to provide the necessary ways and means. And besides the expenditure and the ways and means annually determined by these Courts respectively, there was a fixed revenue levied under the direct authority of the Sovereign and called the Sovereign's chest, which was expended under the sanction of the Sovereign by the Governor.

About the year 1812, however, with the permission of the Acting Governor, but without the knowledge of the Home Government, a different practice not recognised by law was introduced, and the Combined Court was admitted to vote on items in the estimates. When, after several years, the change which had taken place was at length reported to the Secretary of State, it was in contemplation to annex the colony of Berbice to Demerara and Essequibo; and it was not till that annexation was effected, after many delays, that measures were taken by the Crown to remand the Combined Court to its legitimate functions. The Combined Court resisted those measures by refusing to exercise any functions at all; and this led to the compromise by which, after long negotiations, a Civil List was first established, to begin on the 1st of January 1836, and to continue till the 31st of December 1840.

See Ordinance of 8th February 1836. Parl. Paper, 404 of 23d June 1840, pp. 25, 26.

In consideration of this Civil List, the amount of which was 20,980 *l.*, the Crown surrendered for that term the revenues theretofore remaining at its undisputed disposal under the name of the Sovereign's chest, which, however, had been materially diminished by the loss of the capitation tax on slaves incident to the abolition of slavery in 1834. The Crown further expressly conceded to the Combined Court, for the term of the Civil List, the power of controlling the general estimate which that Court had for some years exercised without lawful authority.

Parl. Paper, 404 of 1840, p. 47 *et seq.*

Before the termination of the first Civil List on the 31st of December 1840, negotiations were entered upon for the renewal of a similar engagement with an increase of the salaries on the Civil List. At the time when the first Civil List was negotiated in 1835–36, the revenues of the ancient Sovereign's chest had been much reduced by the loss of the capitation tax on slaves, and even at an earlier period, in 1831, owing to circumstances of financial difficulty, a material reduction of salaries had been assented to by the Crown. But in 1840 the loss of the Sovereign's chest had been made up to a great extent by an increase which had taken place in the produce of the Customs duties; and the revenues which were to revert to the Crown were considerably larger than those which it had provisionally surrendered. At that time the question of immigration had grown into great importance; the planters were anxious to be allowed to import negroes from the coast of Africa and coolies from India, and not only to expend on that object a large amount of *surplus annual revenue*, but also money to be *raised*

Parl. Paper, 404 of 1840, pp. 56. 58.

Governor Light's despatch of 30th July 1839. Parl. Paper, 404 of 1840, p. 47.

raised on loan by the colony. Serious objections were entertained to these projects in Parliament and by parties in this country, and strong remonstrances were made in the colony by missionaries and others, on behalf of the labouring population, on the ground that the taxes to which the labourers contributed ought not to be expended in bringing competitors into the labour market to reduce their wages. A large mortality had also taken place amongst gangs of coolies recently imported by private enterprise, and opposition on the score of importations from India was to be met from the Indian Government and the Court of Directors. Under these circumstances it was that the Combined Court made an offer of a Civil List of 42,893*l.* 9*s.*, on the following terms and conditions, amongst others:—

Lord J. Russell's despatch to Governor Light, of 15th February 1840. Papers relative to the West Indies, presented to Parliament by command in 1841, pp. 70 *et seq.*

Parl. Paper, 404, 1840, p. 64.

"That under such rules and regulations for their due care, protection, and comfort, as may be deemed reasonable, all restraints upon immigration of free labourers into this colony from all parts of the world, unfettered by indentures, be removed.

"That simultaneously with the allowance by Her Majesty of such Civil List, an order of Her Majesty in Council be published, securing to this Court the free and uncontrolled power of raising such sums as this Court may deem necessary, and of appropriating the same to such purpose as this Court may judge requisite for the advantage of the colony; and also, during the continuance of the Civil List and after due provision for the same, of pledging the revenues of the colony for the redemption of, and payment of interest on, any loan which this Court may deem it right to contract for the promotion of immigration or otherwise."

These conditions were not accepted by the Government, and the result was, that the Combined Court stopped the supplies before the expiration of the first Civil List, and for the last half of the year 1840, at the end of which year that Civil List was to expire, it was left unprovided for.

A fresh negotiation was then set on foot, and it was conducted by Sir H. MacLeod, the Governor of Trinidad, who went to British Guiana for the purpose. In a despatch addressed to Sir H. MacLeod by Lord John Russell on the 30th September 1840, his Lordship adverts to the then state of the question in the following terms:—

Lord J. Russell's despatch to Sir H. MacLeod, of 30th September 1840, App. No. 2, p. 223.

"On consulting the correspondence between me and Governor Light, you will perceive that there is no difference of opinion between me and the Combined Court as to the Civil List that is required. The Civil List passed conditionally by the Combined Court meets my wishes on that subject. The Combined Court have proposed 5,000*l.* sterling for the Governor's salary, and it would not be proper that any further discussion on that point should take place; but if there were any other item on which you were of opinion that a reduction should be made, you would be fully at liberty to assent to it. You will also perceive that the conditions with which the Combined Court have coupled their grant of a Civil List, are such as it is beyond the power and authority of the Queen's Government to fulfil. It is not in my power to hold the British Parliament and the Government of India to the obligations which the Combined Court of British Guiana wish to impose upon them, either as respects immigration or as respects commercial duties. You will therefore represent to the Combined Court the obvious impossibility of assenting to these conditions, and you will propose to them that they should pass their own Civil List without the conditions."

Sir H. MacLeod effected an arrangement of the dispute, in accordance with the above instructions, by which the salary of the Governor was settled at 5,000*l.* a year, instead of 6,000*l.*, which had been its amount prior to the reduction of 1831; and an ordinance was passed by which a Civil List amounting to 39,072*l.* 17*s.* 4*d.* was granted for seven years from the 1st January 1841; in consideration of which the Crown revenues were again surrendered for the term; and in compliance with the wishes of the Combined Court, an Order in Council was passed on the 3d June 1842, directing that "during the continuance of the said Civil List Ordinance, but no longer," the Combined Court should have power to discuss in detail the items of the "annual" estimates, "subject always to the terms and conditions of the said Civil List Ordinance."

Sir H. MacLeod's despatch to Lord J. Russell of 11th Jan. 1841, App. No. 2, p. 225; and British Guiana Civil List Papers, laid before this Committee, p. 136.

British Guiana Civil List Papers, laid before this Committee, p. 127.

This Civil List included a sum of 9,429*l.* 19*s.* 4*d.* on account of the ecclesiastical establishment, which was placed on the Civil List at the instance of the colonial members of the Combined Court.

Q. 1739, 1743. Sir H. MacLeod, 11 Jan. 1841, App. No. 2, p. 225.

Gov. Light's despatch, 1st January 1848. Guiana Civil List Pap., p. 4. *See* Appendix Q. 745.

Simultaneously with the passing of this Civil List Ordinance, Sir Henry MacLeod had introduced, with the concurrence of the Home Government, an Emigration Bill, by which the Combined Court was enabled to apply a large surplus revenue to the importation of immigrants, and an ordinance was passed, under which large importations of immigrants were effected accordingly.

See Mr. Sandbach's Evidence, Q. 1834 to 1870, both inclusive.

With regard to the second of those demands, viz., a Loan Ordinance, it appears that it also was pressed upon the attention of Sir Henry MacLeod at the same time; who, having instructions from home not to assent to such a law, declined to introduce it. A Bill or Draft Ordinance for that purpose was introduced by a private member of the Court, and, without being sanctioned or passed by the Governor in the colony, was sent home by him for the opinion of the Home Government, who continued to disapprove of such a law, and it was rejected. It appears, however, from the evidence, that a very general misapprehension of these facts has hitherto prevailed among those most interested in the colony, and who have taken an active share in its concerns, who were under the impression not only that the Civil List of 1841 had been granted on the distinct understanding that both an Emigration and a Loan Ordinance should be passed, but that the latter had actually received the sanction of the Governor, and been passed in the colony, and was only disallowed by the Home Government. It was on this erroneous impression that a charge of breach of faith on the part of the Home Government was based.

See Appendix No. 5, p. 261.

The planters, nevertheless, did not cease to desire that immigration should be largely increased, and that the expense should be met by means of a loan on the credit of the colonial revenues; and in 1842 the Combined Court passed a resolution in which they declared that they would not vote the Civil List on its existing scale for 1843, unless in the course of the then current year a large and comprehensive measure of relief should be afforded to the colony by immigration or otherwise. Lord Stanley, who was then Secretary of State, adverted to this resolution in a despatch to Governor Light, of the 12th of October 1842, the whole of which will be found in the Appendix to this Report, and is well worthy of consideration. In this despatch he states that, notwithstanding a very serious falling off in the exports, the revenue sustained itself, and would in all probability be adequate to meet every necessary expenditure; and that "*if the Combined Court is under the impression that their vote is required by law for the maintenance of the Civil List, he is bound to say that he conceives this impression to be erroneous;*" and in a subsequent part of the despatch he proceeds as follows:—"The power of stopping the general supplies may render it impossible to carry on business with the Combined Court on the peculiar system of representative legislation which has been temporarily adopted; but if it be so, and the public money and the affairs of the colony cannot be properly administered upon this system, it will be necessary that Her Majesty's Government should consider whether a system cannot be established by which the interests of the colony would be better secured and permanently provided for. There can be no doubt that the possession of so much power as has been temporarily transferred to the Combined Court tends to the usurpation by that body of every other power, and also that the possession of unlimited power by a representative body resting upon so limited a constituency would be pregnant with abuse. But this is a reason rather for resisting encroachments in detail, than for yielding to them."

Parl. Paper, 342 of 1846.

The supplies for 1843 were however eventually passed; and subsequently, in the same year, the objections of Parliament and of the Indian Government to the importation of coolies having been then overcome, Lord Stanley wrote a general circular to the governors of such colonies as had expressed a wish for further facilities for immigration, and among others to the Governor of British Guiana, and their wish for raising a loan for the purpose of immigration was then acceded to. The Loan Ordinance which was proposed, and which was ultimately assented to by the Crown, was to create an annual charge on the colonial revenues for interest and sinking fund, covering a period of twenty years. The principle which the Government seems to have adopted at first was, that charges on the revenue for the interest and sinking fund of a loan should not be created without co-extension of the Civil List as a prior lien, so that no charges should at a future period fall to be provided for out of the revenue, precedently to those which were most essential to the good government

Gov. Light's despatch, 29 April 1844, p. 53.

Lord Stanley, 31 July 1844, p. 97.

ment of the colony. This principle was not, however, rigorously adhered to; and assent was given to an ordinance authorizing the creation of annual charges for a loan for twenty years, whilst the extension given to the Civil List was only for seven years beyond its termination in the year 1847, that is, till the 31st December 1854.

Lord Stanley, 30 Nov. 1844, p. 131.

But whilst the Civil List, thus for the third time renewed, was made a first charge on the revenue of the colony, the revenue itself was left for the most part dependent on taxes annually imposed by the Combined Court. For as the abolition of slavery had incidentally deprived the Crown of the greater part of the ancient revenue of the Sovereign's chest in 1834, so now it was deprived by the incidental consequences of another large measure of imperial policy, of a great portion of the residue of that chest. This happened by the cessation of the Imperial customs duties on the repeal of the Colonial Possessions Act.

Such being the relative position of the executive government of the colony and of the two Courts which divide between them the power of legislation and taxation, resolutions were passed at the close of the year 1847 by the Combined Court in favour of a reduction of all salaries guaranteed by the Civil List to the extent of 25 per cent. on their amount.

The reasons assigned for this reduction in the resolutions of the Court of Policy on the 30th of December 1847 were:—1. The low price of sugar, in consequence of the introduction of slave-labour sugar by the Act of the Imperial Parliament in 1846. 2. The inability of the colony to continue these payments. 3. That the Civil List was granted in 1841, and renewed in 1844, under the conviction that the faith of the nation was pledged to the exclusion of slave-labour sugar. These reasons were more fully explained in the following resolutions proposed in the Court of Policy on the 21st of March 1848:—"That the Acts of the Imperial Parliament for a series of years, previous to 1846, inflicted extensive injury on this colony; lessened materially the value of property, and by enhancing the cost of production, slowly, but surely, reduced the profits of cultivation, so as to leave little or no interest upon the capital invested; that the Sugar Duties Act of 1846, by admitting slave sugar to competition in the English market with free-labour sugar, has utterly annihilated the little value which previously attached to landed property, and has rendered it impracticable to continue the cultivation of the staple commodities at a remunerating price; that the result of the measure of 1846 has been to lower the value of sugar to such an extent that the proceeds are insufficient to cover the cost of production; that the colonists are in consequence plunged in deep distress, their means exhausted, and their utter ruin must follow, unless immediate measures of relief be afforded by the British Parliament; that Her Majesty's Government having announced their determination not to grant protection to sugar, the produce of British possessions by free labour, the colonists are unable to withstand the calamities which the measure of 1846 inflicted on all the resources and upon every interest of this colony. It is therefore the opinion of this Court, that the Acts of the British Government, as carried out for a series of years, and their refusal to give any measure of protection to colonial industry, have rendered colonial property valueless; that in the present state of the colony, this Court cannot proceed to vote the estimate, or to take any part in raising the supplies, as the sources of income from which the colonial expenditure has hitherto been defrayed have ceased to be productive, and this Court is consequently deprived of the means of providing the necessary funds to support the civil government and institutions of the colony. The acts of the British Government have placed the colony in its present perilous situation, and on the British Government must the responsibility rest." And it was further stated, as a ground for the proceedings of the Combined Court, in an address from the elective members to the Governor, that the "conditions of the Civil List Ordinances had been violated" by the Act of the Imperial Parliament, which permitted the introduction of slave-labour sugar.

Guiana Civil List Papers laid before this Committee, p. 4.

See p. 6, Papers relative to the Affairs of British Guiana.

Without entering into the motives or object which led to these declarations, it appears from the despatches which have been laid before us, that the Secretary of State directed the Governor to inform the Combined Court, that Her Majesty's Government would not consent to the proposed general reductions of salaries included in the Civil List, because the honour of the Crown was regarded as pledged to the holders of the offices to which these salaries were assigned, that

Despatches from Earl Grey to Governor Light and Lieutenant-Governor Walker, of 15th Feb., 17th June, 15th August, and 1st September 1848.

Guiana Civil List Papers, pp. 180 *et seq.*

that they should be continued unaltered at least until the expiration of the period for which the Civil List had been granted; and the reduction was further objected to on the ground that if it were allowed to take place in the manner proposed, the arrangement made for providing a Civil List for a fixed term of years, would be virtually set aside. It was likewise pointed out that there was no pressing necessity for the proposed reduction, inasmuch as there was no falling off in the revenue, which, on the contrary, rather showed a tendency to improve; and also that this measure would do little or nothing for the relief of that class of the colonists who were chiefly suffering from the depressed state of the sugar trade, since the existing taxes fell almost exclusively upon the labouring classes, who, far from being unable to pay them, were in such easy circumstances that it has always been represented by the planters, that one of the chief difficulties with which they have to contend, is that the labourers can earn enough to satisfy all their wants by two or three days' labour in the week, and cannot therefore be induced to perform such an amount of regular labour as is required for the successful cultivation of sugar.

Revenue of British Guiana.

In	dollars.
1842	838,970
1843	829,868
1844	832,479
1845	825,198
1846	900,849
1847 (estimated)	1,135,507.

See page 72 of Blue Book Reports for 1846.

See Earl Grey's despatch to Governor Light, 15th February 1848. Page 180 of Civil List Papers.

1718, 1719. 2300, 2302. Sir H. Light, 947 to 959.

Your Committee think it best to close their abridged narrative of the past transactions with this statement of the application for a reduction of the Civil List, and of the grounds on which it was refused. It would be difficult for them to represent the remaining part of the correspondence with perfect fairness under the form of an epitome. They will therefore now proceed to such expressions of opinion upon the matters at issue as may, they trust, have a practical bearing upon their adjustment, and may tend in future to promote the good government of the Colony.

Upon a review of the several circumstances above adverted to, Your Committee is of opinion that the Crown is entitled (if considerations of good faith or of public policy require it) to insist upon an adherence to the Civil List arrangement made in 1844, for the full period for which the Civil List was granted; and that no attempt to set aside that arrangement, either by direct or indirect means, can be justified. At no remote period the whole of it will be open to review; and Your Committee strongly recommends that in the interim, whenever there may be vacancies in offices included in the Civil List, no permanent appointment should take place until the circumstances of the vacant office have been fully considered, in friendly concert with the Colonial authorities, for the purpose of ascertaining whether the maintenance of such office be necessary; and, if necessary, whether the office require regulation, and whether its emoluments can properly be reduced.

These questions should be determined with exclusive reference to two considerations: the upright and efficient discharge of public duties at the smallest pecuniary charge; and the general welfare and protection of the several classes of Her Majesty's subjects resident within the colony.

From the principle of revision, so far as the reduction of emoluments is concerned, the office of Governor of the colony (an office which has become vacant since the Civil List arrangement was made) ought not to be excluded.

Your Committee understands that the appointment was accepted by the present holder of it with the distinct intimation that the emoluments were liable to reduction. The salary of the office of Governor was raised, in the year 1841, from the sum of 3,500 *l.* to 5,000 *l.* per annum, mainly on the ground that the price of provisions in British Guiana was extraordinarily high, and that in Guiana the cost of living far exceeded that in the Island of Antigua, for the Governor of which a salary of 3,000 *l.* was provided.

Your Committee is of opinion that it is a fit subject for inquiry, not merely whether the special grounds on which the increase in question was recommended still exist, but whether, all circumstances considered, a salary of a less amount than 5,000 *l.* per annum would not suffice to induce a person perfectly qualified in every respect to undertake the duties of the office, and to enable that person to meet all the legitimate expenses to which the Governor is subject.

It would no doubt be an unwise and short-sighted economy to exclude from an

an important trust, by the inadequacy of the emoluments attached to it, those persons who possess the qualifications required for the discharge of its duties.

Due weight on the other hand ought to be given to the following considerations: that the agriculture of the Colony is in a state of great depression; that every degree of retrenchment in the public expenditure, that is consistent with justice and good faith, is imperatively called for; that an example of the reduction of emoluments set by the Governor would increase his personal influence and authority in the Colony, and would tend to reconcile the holders of subordinate appointments to the application in their own case of a rule to which the highest authority in the Colony had voluntarily and cheerfully submitted.

In adverting to the subject of civil appointments in British Guiana, Your Committee feel it their duty to express their opinion, founded on evidence which they have received with regard to the nomination to certain offices, and to the manner in which the duties of those offices have been discharged, that it is a subject which demands full inquiry and careful consideration, with a view to the correction and prevention of abuses, and to the efficient and economical administration of the Public Service.

The attention of Your Committee has been drawn to the general feeling which prevails in the Colony, that an alteration in the existing form of government is desirable, as one liable to serious interruptions, and occasionally productive of grave inconvenience and injury.

Your Committee refrain from offering any opinion upon the details of such alteration. They would suggest, however, that any changes which it may be deemed necessary to make in the present constitution of British Guiana should be decided in friendly concert with the Colonial authorities; and that such changes should proceed upon the basis of extending the elective franchise as far as may be deemed practicable and prudent, and at the same time conceding to the Legislature of British Guiana a greater control over the conduct of public affairs than they have hitherto enjoyed.

PROCEEDINGS OF THE COMMITTEE.

Veneris, 4° die Maii, 1849.

PRESENT:

Mr. BAILLIE, in the Chair.

Sir James Hogg.	Lord Hotham.
Mr. Adderley.	Mr. Disraeli.
Sir Joshua Walmsley.	Major Blackall.
Sir Robert Peel.	W. S. Wortley.
Mr. Wilson.	Mr. M'Cullagh.
Mr. Gladstone.	Mr. Villiers.

Draft Report, as proposed by the *Chairman*, read a first time, as follows:

"Your Committee, in compliance with the wishes of the Secretary for the Colonies, has first proceeded to inquire into the Origin and Merits of the Difference which exists between the Colony of British Guiana and the Home Government, and to report specially and exclusively thereon, in order that no further time may be lost before decisive steps are taken by Her Majesty's Ministers to bring to a close a Quarrel so exhaustive of the remaining resources of, and so disastrous to that distressed community.

"It has been proved by documentary and oral evidence before Your Committee,—

Q. 300. Qs. 2700 to 2821, compare with 2025. Qs. 2108. 2122,

"1. That the Government of British Guiana has been conducted for the last 10 years in opposition to the expressed views and wishes of the elective members of the Legislature.

Parl. Papers, Guiana Civil List, 1840. Q. 614.

"2. That in 1835 the Apprenticeship Act having done away with the Slave Capitation Tax, which was one of the chief sources of the King's Revenue in British Guiana, it became necessary to establish a Civil List, amounting to 20,980 *l.*; in consideration of which certain Crown Revenues were ceded to the general revenue of the colony. This Civil List was to continue in force until 31 December 1840.

Q. 2005.

"3. That in 1839 Governor Light, who had been promoted from the Government of Antigua to that of Guiana in the preceding year, addressed a despatch to Lord Normanby, proposing that the salaries of all the public officers on the Civil List should be considerably increased; thereby augmenting its amount from* 19,980 *l.* to 36,750 *l.*

Q. 2006. Q. 53, 54.

"4. That Governor Light stated that he based his demand for this great increase of the Civil List on the indubitable and increasing prosperity of the community under his charge, and on the extraordinarily high price of provisions in Guiana in 1839, as compared with their price in Antigua.

Q. 2025. Q. 135. Q. 59. 60,000 dollars. *See* Q. 135.

"5. That the colonists denounced Governor Light's statements as to the prosperity of the colony as inaccurate, resisted his demand as "excessive and severely onerous;" and that in the course of the dispute the supplies were stopped, whereby much revenue was lost to the colony.

Q. 59. Q. 2011. Q. 1081. Q. 81.

"6. That Lord John Russell, who had succeeded Lord Normanby at the Colonial Office, supported Governor Light in his demand, and declaced that the restrictions under which the colonists then laboured in the regard to immigration should not be removed, and that they should not be permitted to raise a loan on the credit of the colony for the purpose of promoting immigration, unless they agreed to the proposed increase of the Civil List.

Q. 126.

"7. That the colonists of Guiana, convinced that the salvation of the capital which they had embarked in the colony depended on a prompt increase in the supply of labour, were ultimately compelled to give way, and to agree to an increased Civil List for seven years, amounting to 39,072 *l.* 17 *s.* 4 *d.*

"8. That the Loan Ordinance, in consideration of which this large increase in the salaries of the chief officers of the colony was granted, was not however approved of by the Colonial Office at home.

Qs. 667. 672. Qs. 2010–11. Qs. 2039. 2041. Q. 59.

"9. That in 1844, when the said Loan Ordinance was again pressed upon the Colonial Office, it was only conceded on condition that the increased Civil List of 1841 should be further granted by the colonial legislature for a term of seven years, terminating in 1851.

"10. That

* The Civil List of 1835 had decreased in 1839, from 20,980 *l.* to 19,980 *l.* in consequence of certain pensions having lapsed.

" 10. That on the 30th of December 1847, certain resolutions were agreed to, without opposition, in the Court of Policy of British Guiana, setting forth that, on account of the distress and exhausted resources of the colony, it had 'become matter of imperative necessity that an extensive reduction should be carried out in every branch of the annual expenditure; that the existing Civil List, amounting to 39,072*l.* 17*s.* 4*d.*, was founded in 1841, and renewed in 1844, upon the presumption of the continued exclusion of slave sugar from the market of the United Kingdom; and that Her Majesty's Government should be requested accordingly to authorize a reduction of one-fourth of the Civil List.' Papers of the Committee (Civil List), p. 6.

" 11. That on the 6th of January 1848 the Court of Policy adopted a motion, declaring that it would use every means to reduce the estimate for the year 1848, and entreated the Governor to recommend to the Government at home the reduction of the Civil List. P. 8.

" 12. That on the 29th of February 1848 the Court of Policy resolved that the framing of any estimate for the services of the year should be postponed until May 15th, as in the then state of the colony no such estimate could be fixed; and to this Resolution the Governor assented, assigning to Lord Grey, as his reason for doing so, 'that there would be ample time between the middle of May and the 30th of June for the passing of the estimate, and business of the Combined Court.' P. 9.

" 13. That on the 15th of March 1848 Governor Light wrote to Earl Grey, that the news by the mail, which gave the proprietary body no hope of further relief, had created great despondency in the colony, and that he learned with regret the determination that was current to throw the public affairs of the colony into confusion by stopping the supplies; giving in the same despatch a most touching description of the ruin which was overwhelming the colonists. P. 11.

" 14. That the news to which Governor Light referred would appear to have been the declaration in Parliament by the Ministers of the Crown, made early in 1848, that it was the unalterable determination of Her Majesty's Government to propose no change whatever in the Sugar Duties Act of 1846. Q. 1020.

" 15. That on the 21st of March 1848 a despatch from Earl Grey, dated 15th February 1848, refusing to concur in the proposed reduction of the Civil List, and denouncing it as 'unnecessary,' was read to the Court of Policy. P. 182.

" 16. That at the same meeting notice was given to the Court, of Resolutions declaring that, on account of the refusal of Her Majesty's Government to grant further protection to British sugar, the colonists found themselves unable to contend with the difficulties of their position, and that 'the Court could not proceed to vote the estimate, or to take any part in raising the supplies, as the sources of income from which the colonial expenditure had hitherto been defrayed had ceased to be productive.' P. 13.

" That on the 31st of March, with reference to these Resolutions, and to the speeches delivered in regard to them, Governor Light wrote to Earl Grey, that 'he felt relieved from the consent he had given to postponing the consideration of the Estimate to the 15th of May.' P. 12.

" 18. That on the 10th of April these Resolutions were rejected in the Court of Policy, by the casting vote of the Governor. P. 28.

" 19. That on the same day the Honourable Mr. Rose, who frequently acted as the leader of the unofficial members of that Court, announced their willingness to renew the Tax Ordinance for a limited period, but remonstrated against the bad faith of the Governor in attempting to proceed with the Estimates before the 15th of May, the date originally agreed upon by him.

" 20. That in spite of the remonstrances and opposition of the unofficial members of the Court of Policy, the Estimate was forced through that Court, on the 11th of April, by the casting vote of the Governor. Governor's reasons, pp. 19, 20.

" 21. That the Combined Court met on the 20th, and again on the 26th and 27th of April. That on the 26th of April the colonial members of the Combined Court presented an address to the Governor, in which they declared that they found a Committee of the House of Commons had been appointed to inquire into the state of the Sugar-growing Colonies, and that they considered it would be extremely unwise and premature on their parts to enter upon the consideration of any Estimate until it had been ascertained whether any and what measures of relief might result from the deliberations of that Committee: they accordingly prayed that such consideration might be postponed until the decision of Parliament upon any proposals to proceed from the Committee on Sugar and Coffee Planting could be obtained; and by a declaration of planters and others it was at the same time stated, that they regarded the measures proposed by Her Majesty's Government in February 1848, for their relief, as 'a mockery and a delusion;' and by a resolution of the same day, the colonial members of the Combined Court requested the Governor to introduce a Bill to extend the existing Tax Ordinance until the 15th of August 1848, a measure which would have afforded a period of 111 days before the authority to collect any of the taxes would have lapsed. P. 37.

" 22. That it was also stated in the discussion that the Tax Ordinance would be again renewed beyond the term of six weeks, if further time were found requisite for a decision on the case of the colony, and 'the Court unanimously expressed their readiness to adopt measures for the protection of the revenue (for which measures the records of the Court furnished precedents), and which they considered were called for by the circumstances of the crisis.' P. 39. P. 38.

" 23. That in the prefatory notice dated 1st May 1848, they thus state the grounds of their conduct:—'The elective members, considering that the extension of the existing Tax Ordinance to the 15th August 1848, would give sufficient time to ascertain the ultimate measures P. 43.

of the Home Government, upon which the means of the colony to provide for the public expenditure would essentially depend, and considering also that if any absolute necessity should arise, the renewed Ordinance might be further extended to suit the exigency of the moment, have placed upon record their unanimous declaration adhering to the Resolution of the previous day.'

" 24. That Governor Light, on the 27th of April, refused to accede to this proposition, but
P. 38. declared himself ready to undertake ' the serious responsibility ' of accepting a renewal for three months.

" 25. That Earl Grey, on the 17th of June, announced to Lieutenant-governor Walker
P. 181. (Governor Light having left the colony in the interim) his entire approval of that officer's conduct in refusing to accept a renewal of the Tax Ordinance for the period proposed by the colonists; and further instructed Lieutenant-governor Walker not to accept any renewal for a shorter time than to the termination of the customary financial year (June 1849).

" 26. That his Lordship observed in the same despatch, that ' he conceived the faith of the Crown and of the colony were pledged to the public servants for the maintenance of the salaries granted by that Ordinance for the period for which it was in force;' but added, that ' if any of the offices paid from the Civil List should fall vacant, he should approve of any proper and practicable reductions which could be made in the salaries attached to them.'

" 27. That on the 16th of June, Lieutenant-governor Walker, having waited for the latest
P. 52. steamer which could arrive before the expiration of the Tax Ordinance on the 30th of June 1848, in the hope of receiving further instructions, assembled the Combined Court, and accepted a renewal of the Tax Ordinance for three months.

P. 60. " 28. That on the 17th of July the declaration of Earl Grey, in his despatch of 17th June, was made known to the Court of Policy, and on the 20th to the Combined Court; the reading of the Estimate was then commenced, and one of the financial representatives moved a
P. 62. reduction of the Governor's salary from 5,000*l.* to 3,500*l.* per annum, founding his motion on the paragraph in Earl Grey's despatch, expressing his willingness to permit a reasonable reduction in case of vacancy.

" 29. That the Lieutenant-governor refused to allow this amendment to be put.

" 30. That immediately after this refusal to allow an amendment covered by the terms of Earl Grey's instructions to be put to the Court, the Lieutenant-governor permitted another amendment to be put, entirely beyond the scope of those instructions, viz., for the reduction of the Civil List from 39,072*l.* to 26,072*l.*, and on the adoption of this amendment by a majority, the Lieutenant-governor adjourned the Court *sine die*, and wrote on the 20th July to Earl Grey, mentioning the difficulties to which he would be put in carrying on the public service by reason of the consequent stoppage of the supplies.

" 31. That the intentions of Government to deviate from the Sugar Duties Act of 1846 were not made known in England until May, and did not reach Guiana until June 1848.

P. 187. " 32. That on the 1st of September Earl Grey replied to the foregoing despatch of Lieutenant-governor Walker. In this reply Earl Grey approved of Governor Walker's determination to forego pressing the estimate upon the adoption of the amendment by a majority of the Court, ' since it was obvious that the object of that amendment was rather to assert the principle of the control of the Combined Court over the expenditure included in the Civil List than to effect a reduction which could be of any serious importance;' and that his Lordship further declared, ' I cannot authorize your accepting a vote of the Estimates in which provision is not made for the whole amount of the Civil List, though I still entertain the readiness I have already expressed to consider any proposal for the reduction of the emoluments of the offices included in the Civil List on vacancies occurring.' With respect to this particular reduction of the Governor's salary, Earl Grey stated that if the full salary had been voted, and an address to Her Majesty at the same time adopted, praying for its reduction, he would have given the most careful consideration to the reasons which might have been alleged in favour of such reduction, though his present impression was, that the state of the finances of the colony did not require it, and that the salary of 5,000*l.* per annum was not higher than the nature of the office, all circumstances considered, appeared to necessitate.

" 33. That on the 25th of September Lieutenant-governor Walker again convened the
P. 85. Combined Court, when it was proposed, 1st, to vote the entire Civil List preparatory to proceeding with the Estimate; and, 2dly, to renew the Tax Ordinance until the 30th of
P. 89. June 1849: that both these resolutions were rejected by a majority of the Combined Court, and that his Excellency in consequence again adjourned the Court *sine die*.

" 34. That on the 30th of September the Tax Ordinance expired.

" 35. That it appears from despatches lately received from Governor Barkly (who was superseded Lieutenant-governor Walker), that at least half a million of dollars have been in consequence lost to the public revenue of the colony, the present condition of which he thus describes; ' My language would indeed appear exaggerated if I were to attempt to describe to your Lordship the gloom and despondency which the accumulated losses of the lost few years have cast over all those connected with the agricultural interests of this country. Cases have been mentioned to me, even among those who hold a high social position, of privations approaching almost to a want of the necessaries of life; others, once affluent, have been compelled to seek in bankruptcy a relief from encumbrances which they saw no prospect of ever discharging.'

" 36. That Governor Barkly has been dispatched by Earl Grey to British Guiana, unpro-
vided

vided either with powers to coerce the Combined Court, or to make such concessions respecting the Civil List as may enable the business of the Court to proceed.

" 37. That on the 27th February 1849, Governor Barkly convened the Combined Court, and invited them to vote the Civil List intact; and, and on finding the unofficial members of the Court unanimously determined not to swerve from the course which they had adopted when it had been last been convened by Lieutenant-governor Walker, adjourned it once more, *sine die*.

" 38. That in a despatch which accompanied Governor Barkly to Guiana, Earl Grey has declared to the colony, that he shall feel it his duty to make arrangements for the removal of the troops from the colony, if the arrears of table money hitherto paid to the military officers stationed in the colony be not speedily paid up, and if the allowance itself be not regularly issued in future; although his Lordship must be well aware that this item of expenditure is one with which he has declared the colony may deal as they please, inasmuch as it is not on the Civil List, and that the only bar to its payment is the unfortunate squabble which exists between the colony and the Colonial Minister.

" Your Committee are therefore of opinion,—

" 1. That of the two reasons advanced by Governor Light in 1839, in order to support his demand for a large increase in the civil list of British Guiana, the first, the great and increasing prosperity of the colony was entirely illusory; and the second, the high price of the necessaries of life, no longer exists. Q. 2025. Qs. 2005 to 2008.

" 2. That it was highly improper that immigration, a measure admitted to be vital to the interests of the colony, should have been used in 1841 as a means whereby to extort from the legislature of that colony an increase in the salaries of the officers of the Crown; and that if it was held by Her Majesty's Government to be conducive to the prosperity of Guiana, it ought undoubtedly to have been granted at once, without any such condition attached to it. Q. 2011. Q. 1081. Q. 59. Q. 81.

" 3. That the same censure applies with equal force to a subsequent abuse of the Loan Ordinance, in order to extort from the colonists of Guiana, in 1844, a further extension of the increased civil list. Governor Barkly's Evidence, Q. 2039, Qs. 2010–11. 2041. Q. 59.

" 4. That it is to be regretted that Earl Grey did not, in consideration of the great distress of the colony, and of the peculiar circumstances of the case, listen more favourably to the urgent and reasonable appeal of the Combined Court in (Dec. 31) 1847, to be permitted to reduce the civil list; that if at that period his Lordship had made to that Court, in conciliatory terms, those explanations as to his views on the subject of reduction which he has more recently (1 September 1848) tendered to them, and if, instead of denouncing it as 'unnecessary and unreasonable,' he had then pointed out to them the legitimate process by which alone he conceives they can attain the reduction they seek, the subsequent disputes, and the grave losses * which have resulted to the revenue of the colony, might have been avoided. Papers of the Committee (Civil List), p. 6. P. 185. Q. 2067.

" 5. That no documents or evidence have been submitted to them by which Earl Grey is supported in his assumption that the object of the amendment carried in the Court of Policy on the 20th July 1848, was 'rather to assert the principle of the control of the Combined Court over the expenditure included in the Civil List, than to effect a reduction which could be of any service or importance;' inasmuch as they conceive that the moral effect of a reduction of the salaries of the higher officers of the Crown would have a most salutary influence on the whole community, and that it would be in vain to expect that the reductions which recent events have rendered more than ever necessary in the public expenditure of the colony, in the general conduct of estates, and even in the wages of labour, could be satisfactorily carried out were the present salaries on the Civil List to remain undiminished †. P. 185, par. 2.

" 6. That additional difficulties in the arrangement of this dispute have been engendered by the statements made by Earl Grey on the 8th of February 1848, announcing to Parliament, on the authority of a colonial newspaper, that the most satisfactory arrangements as to labour actually existed in Guiana between the employers and the employed; it having been proved to your Committee that Earl Grey was at that very time in possession of despatches which had arrived by the same packet as the newspaper in question from the Governor of the colony (of which however he made no mention), stating that, 'as matters stood on the 31st December 1847, half the estates in the colony must go out of cultivation.' Qs. 2072 to 2089. 2336 to 2368. Guiana Papers, pp. 15 & 16.

" 7. That further difficulties were occasioned by the imprudent and unconciliatory conduct of the Governor, in declining on the 27th April 1848, to accept a renewal of the Tax Ordinance for six weeks, with a promise of a further extension in case of need; and in insisting on an unconditional concession of the said Ordinance for three months; that the Secretary of State erred in his entire approval of Governor Light's conduct on that occasion; and that to the unfortunate circumstances adverted to in this and the preceding paragraphs, the subsequent legislative embarrassments of the colony are chiefly to be ascribed. Qs. 604 to 605. P. 38. Qs. 505 to 512. Q. 537. P. 181.

" 8. That in 1843, when, owing to a dispute with the Government, the Tax Ordinance was not renewed, an Ordinance was passed by the Court of Policy obliging all persons who imported goods to give bond, to pay upon them whatever duties should become leviable under the Tax Ordinance, whenever it might be passed; and that by this measure the most injurious consequences Qs. 1197 to 1215.

* Governor Barkly in a despatch to Earl Grey, 3 March 1849, states loss to revenue 500,000 dollars; immigration, too, from Africa to Guiana has been stopped by Earl Grey's instructions.

† Governor Barkly's Address to Combined Court, 6th par. p. 5; Guiana Papers, No. 6.

consequences attending the stoppage of the supplies were prevented; and that as the influence of the Governor predominates in the Court of Policy, it was in his power to have procured the passing of a similar measure on the late unfortunate occasion (a step which was suggested to him by the members of the Combined Court, in their protest, dated 27 April 1848); and that the Committee consider it a subject for further serious regret and animadversion that no such measure was passed, and that no instructions were given to the Governor with such a view.

P. 38.

Q. 2067.

"9. That it is also to be regretted, that in consequence of the inability of the colonists, consequent on the stoppage of the supplies, to furnish funds wherewith to defray the table money usually paid to the military officers stationed in Guiana, Earl Grey should have addressed a despatch to Governor Barkly on the 16th January 1849, informing him that if the arrears of the said table money were not forthwith paid up, and the allowance paid in future with regularity, he should feel it his duty to add to the difficulties of the colonists, by ordering the withdrawal of the troops.

Earl Grey's despatch to Governor Barkly, 16 January 1849.

"10. In conclusion, Your Committee are of opinion that greater allowances ought to have been made for the feelings and position of men, who, from a combination of circumstances over which they had no control, have been reduced from affluence to poverty and ruin; and that the desire expressed by them in 1847, to reduce every branch of the heavy public expenditure of the colony of British Guiana 25 per cent., was fully justified by the circumstances of the case, and ought to have been acceded to and assisted by Her Majesty's Government."

Governor Barkly to Earl Grey, 28 Feb. 1849, par. 6.
Q. 2092.
Papers of the Committee (Civil List), p. 6.

Additional Resolutions added to the Draft of Report proposed by the *Chairman:*

"1. In taking into consideration the present form of Government in British Guiana, Your Committee have thought it advisable to consult the opinions of the Law Officers of the Crown, which have been laid before them, and they find their opinions are as follows:

"'Looking to the laws and usages and mode of taxation prevailing in the colony in 1803, and since sanctioned by the Crown, we are clearly of opinion that no tax can lawfully be imposed there except by the Combined Court. Notwithstanding the recent origin of the representations for taxation, they were fully established in 1803, and have been uniformly recognized since that time, while they confined themselves to their proper functions of providing ways and means for the supplies voted by the Court of Policy.

"'But whatever doubts there might be as to the power of the Combined Court to interfere with the Estimates, its exclusive power to raise a revenue by internal taxation has been uniformly admitted and acted upon.

"'Therefore, however much the members of the Combined Court may misconduct themselves, we apprehend that their power of taxation cannot be considered as transferred to the Crown.

"'We are of opinion that if the Combined Court refuses to act, there is no mode in which a tax can lawfully be imposed in British Guiana, without the interposition of the Imperial Parliament.'

"Your Committee is nevertheless informed that Taxes have been levied in the colony and money appropriated during the past year upon the sole authority of the Governor.

"2. It also appears to have been the invariable practice, not only to grant the supplies, but also to impose the taxes by an annual vote of the Combined Court; and however desirable it might be that the Civil List should be fixed in the colony for a term of years, Your Committee cannot understand how that object can be effected, or how the Combined Court could have the power to appropriate any portion of the revenue to a Civil List for a longer period than that for which the taxes were imposed.

"3. It appears to Your Committee that great doubts have been raised with respect to the powers of the Combined Court on the one hand, and of the Governor on the other; that the present form of government in British Guiana is in consequence liable to serious interruptions and inconvenience, and that grave injury has been inflicted upon the colony in consequence of the disputes which have arisen from the above-mentioned causes.

"4. That a general feeling seems to prevail in the colony that some alterations in the now existing forms of government would be desirable; and whilst Your Committee concur in this view of the subject, they refrain from offering any opinion upon the details of any measure calculated to effect that object; they would suggest, however, that any changes which it may be deemed necessary to make in the present constitution of British Guiana, should be decided upon in friendly concert with the Combined Court of that colony, and that such changes should proceed upon the basis of extending the elective franchise, as far as may be deemed practicable and prudent, and at the same time conceding to the Colonial Legislature a greater liberty in conducting their public affairs than they have hitherto enjoyed."

Introduction to Sir *Robert Peel*'s Report, as proposed by Mr. *Hawes*, was read a first time, as follows:

"Your Committee being appointed "to inquire into the grievances complained of in the Crown colonies of Ceylon and British Guiana, in connexion with the administration and government of those dependencies, and to report their opinion whether any measures can be adopted for the redress of any grievances of which there may be shown just reason to complain, and also whether any measures can be adopted for the better administration and government of these dependencies," have proceeded to examine witnesses, and have also considered

considered the documents submitted to them, and have devoted their attention to the colony of British Guiana in the first instance, and do now report separately and without delay on questions relating to the Civil List of that colony, in order that no time may be lost in putting an end to the present state of affairs there, the supplies being stopped by the local representative authorities, owing to the resistance by the Crown of the power assumed by those authorities to make reductions in the Civil List.

" In order to explain the view they have taken of these questions, it will be necessary to give some account of the form of Government which exists in the colony.

" The constitution of Demerara and Essequibo, which, united in 1831 with Berbice, form the present colony of British Guiana, is of Dutch origin, and is very peculiar in its character. While the colony belonged to Holland, there is no doubt that the powers intrusted to the colonists were very much more restricted than at present, and that the authority retained by the Dutch Government, though not constantly exerted, was absolute; but by various modifications which have from time to time been introduced into the constitution of the colony (some of them without any proper or legal sanction), the power now exercised by the Crown is practically limited in a manner quite unknown previously to the cession of the colony.

Despatch from Lord Aberdeen to Sir Lionel Smith, of 1st March 1835. Parl. Paper, 404 of 1840, p. 3 *et seq.*

" At present, the different powers, executive and legislative, of the Colonial Government, are exercised by the Governor and two bodies known by the names of the ' Court of Policy ' and the ' Combined Court.' To the Governor of course the executive power belongs exclusively; the power of ordinary legislation to the Governor and Court of Policy,—subject however to the power of the Crown to pass, by Order in Council, laws which cannot be altered by the authority of the Colonial Legislature; the authority to levy taxes and control the finances is exercised by the Governor and Combined Court.

" The Court of Policy consists of an equal number of official and non-official (or, as they are commonly called, colonial) members, the Governor having in all cases a casting vote. The Combined Court consists of the Court of Policy, with the addition of certain persons called Financial Representatives.

" The colonial members of the Court of Policy and the financial representatives are elected; but the election is conducted in a manner which gives little or no influence to the great body of the inhabitants of the colony.

" The colonial members of the Court of Policy are chosen by a body called the College of Electors. This body chooses two candidates for each vacant colonial seat in the Court of Policy, and one such seat becomes vacant every second year by the retirement of the senior colonial member. The Governor and Court of Policy make choice between these two candidates. The College of Electors are themselves chosen for life, or during residence in the colony, by the votes of persons paying 70 guilders a year of taxes; absentees having the privilege of voting by proxy; and this last privilege, together with the very high franchise above mentioned, places the choice of electors completely in the hands of a very small number of persons.

" The financial representatives are chosen by the same body of constituents as the College of Electors—not, like that college, for life, but only for two years. The Governor has the power of dissolving the College of Financial Representatives.

" It is obvious that this Constitution does not partake at all of a popular character, and that the bodies by which the authority of the Crown is limited, are altogether oligarchical.

" It remains to be stated, that according to the original constitution of the colony, the Combined Court possessed no control over the amount of the colonial expenditure; its functions being strictly confined to determining by what particular taxes the amount of annual revenue should be raised, which was required to provide for the estimated annual expenditure as settled by the Court of Policy, and to auditing the accounts. The Court of Policy (in which it has been stated the Governor had a preponderating influence) belonged the right of determining the amount of expenditure in the several branches of the public service, and of passing an estimate to meet which it was the duty of the Combined Court to provide the necessary ways and means. And besides the expenditure and the ways and means annually determined by these Courts respectively, there was a fixed revenue levied under the direct authority of the Sovereign and called the Sovereign's chest, which was expended under the sanction of the Sovereign by the Governor.

" About the year 1812, however, with the permission of the Acting Governor, but without the knowledge of the Home Government, a different practice not recognized by law was introduced, and the Combined Court was admitted to vote on items in the estimates. When, after several years, the change which had taken place was at length reported to the Secretary of State, it was in contemplation to annex the colony of Berbice to Demerara and Essequibo; and it was not till that annexation was effected, after many delays, that measures were taken by the Crown to remand the Combined Court to its legitimate functions. The Combined Court resisted those measures by refusing to exercise any functions at all; and this led to the compromise by which, after long negotiations, a Civil List was first established, to begin on the 1st of January 1836, and to continue to the 31st of December 1840.

See Ordinance of 8th February 1836. Parl. Paper, 404 of 23d June 1840, pp. 25, 26.

" In consideration of this Civil List, the amount of which was 20,980 *l.*, the Crown surrendered for that term the revenues theretofore remaining at its undisputed disposal under the name of the Sovereign's chest, which, however, had been materially diminished by the loss of the capitation tax on slaves incident to the abolition of slavery in 1834. The Crown further expressly conceded to the Combined Court, for the term of the Civil List, the power

of controlling the general estimate which that Court had for some years exercised without lawful authority.

Parl. Paper 404 of 1840, p. 47 *et seq.*

"Before the determination of the first Civil List on the 31st of December 1840, negotiations were entered upon for the renewal of a similar engagement with an increase of the salaries on the Civil List. At the time when the first Civil List was negotiated in 1835–36, the revenues of the ancient Sovereign's chest had been much reduced by the loss of the capitation tax on slaves, and even at an earlier period, in 1831, owing to circumstances of financial difficulty, a material reduction of salaries had been assented to by the Crown. But in 1840 the loss of the Sovereign's chest had been made up to a great extent by an increase which had taken place in the produce of the Customs duties; and the revenues which were to revert to the Crown were considerably larger than those which it had provisionally surrendered. The Crown therefore required that the salaries should be restored to their former rate, and a Civil List of 36,750 *l.* was proposed. The Combined Court did not see cause to object to the amount of the salaries or of the Civil List, provided their wishes should be acceded to on other points; and they proposed, of their own accord, a still larger Civil List, amounting to 42,893 *l.* 9 *s.* At that time the question of immigration had grown into great importance; the planters were anxious to be allowed to import negroes from the coast of Africa and coolies from India, and not only to expend on that object a large amount of *surplus annual revenue*, but also money to be *raised on loan* by the colony. Serious objections were entertained to these projects in Parliament and by parties in this country, and strong remonstrances were made in the colony by missionaries and others, on behalf of the labouring population, on the ground that the taxes to which the labourers contributed ought not to be expended in bringing competitors into the labour market to reduce their wages. A large mortality had also taken place amongst gangs of coolies recently imported by private enterprise, and opposition on the score of importations from India was to be met from the Indian Government and the Court of Directors. Under these circumstances it was that the Combined Court made an offer of a Civil List of 42,893 *l.* 9 *s.*, on the following terms and conditions, amongst others:—

Parl. Paper, 404 of 1840, pp. 56. 58. Governor Light's despatch of 30th July 1839. Parl. Paper, 404 of 1840, p. 47.

Parl. Paper, 404 of 1840, p. 64.

"'That under such rules and regulations for their due care, protection, and comfort, as may be deemed reasonable, all restraints upon immigration of free labourers into this colony from all parts of the world, unfettered by indentures, be removed.

Lord J. Russell's despatch to Governor Light, of 15th February 1840. Papers relative to the West Indies, presented to Parliament by command in 1841, pp. 70 *et seq.* Parl. Paper, 404, 1840, p. 64.

"'That simultaneously with the allowance by Her Majesty of such Civil List, an order of Her Majesty in Council be published, securing to this Court the free and uncontrolled power of raising such sums as this Court may deem necessary, and of appropriating the same to such purposes as this Court may judge requisite for the advantage of the colony; and also, during the continuance of the Civil List and after due provision for the same, of pledging the revenues of the colony for the redemption of, and payment of interest on, any loan which this Court may deem it right to contract for the promotion of immigration or otherwise.'

"'These conditions were not accepted by the Government, and the result was, that the Combined Court stopped the supplies before the expiration of the first Civil List, and for the last half of the year 1840, at the end of which year that Civil List was to expire, it was left unprovided for.

"A fresh negotiation was then set on foot, and it was conducted by Sir H. Macleod, the Governor of Trinidad, who went to British Guiana for the purpose. In a despatch addressed to Sir H. Macleod by Lord John Russell, on the 30th September 1840, hrs Lordship adverts to the then state of the question in the following terms:—

Lord J. Russell's despatch to Sir H Macleod, of 30th September 1840, App. No. 2, p. 223.

"'On consulting the correspondence between me and Governor Light, you will perceive that there is no difference of opinion between me and the Combined Court as to the Civil List that is required. The Civil List passed conditionally by the Combined Court meets my wishes on that subject. The Combined Court have proposed 5,000 *l.* sterling for the Governor's salary, and it would not be proper that any further discussion on that point should take place; but if there were any other item on which you were of opinion that a reduction should be made, you would be fully at liberty to assent to it. You will also perceive that the conditions with which the Combined Court have coupled their grant of a Civil List, are such as it is beyond the power and authority of the Queen' Government to fulfil. It is not in my power to hold the British Parliament and the Government of India to the obligations which the Combined Court of British Guiana wish to impose upon them, either as respects immigration or as respects commercial duties. You will therefore represent to the Combined Court the obvious impossibility of assenting to these conditions, and you will propose to them that they should pass their own Civil List without the conditions.'

"Sir H. Macleod effected an arrangement of the dispute, in accordance with the above instructions, by which the salary of Governor was settled at 5,000 *l.* a year, instead of 6,000 *l.*, which had been its amount prior to the reduction of 1831; and an ordinance was passed by which a Civil List amounting to 39,072 *l.* 17 *s.* 4 *d.* was granted for seven years from the 1st January 1841; in consideration of which the Crown revenues were again surrendered for the term; and in compliance with the wishes of the Combined Court, an Order in Council was passed on the 3d June 1842, directing that 'during the continuance of the said Civil List Ordinance, but no longer,' the Combined Court should have power to discuss in detail the items of the 'annual' estimates, 'subject always to the terms and conditions of the said Civil List Ordinance.'

Sir H. Macleod's despatch to Lord J. Russell of 11th Jan. 1841, App. No. 2, p. 225; and British Guiana Civil List Papers, laid before this Committee, p. 136.

British Guiana Civil List Papers, laid before this Committee, p. 127.

"This Civil List included a sum of 9,429 *l.* 19 *s.* 4 *d.* on account of the ecclesiastical establishment, which was placed on the Civil List at the instance of the colonial members of the Combined Court.

Q. 1739, 1743. Sir H. Macleod, 11 Jan. 1841, App. No. 2, p. 225.

"Simultaneously

"Simultaneously with the passing of this Civil List Ordinance, Sir Henry Macleod had introduced, with the concurrence of the Home Government, an Emigration Bill; by which the Combined Court was enabled to apply a large surplus revenue to the importation of immigrants, and an ordinance was passed, under which large importations of immigrants were effected accordingly, the first of the two demands already quoted as made by the Court being thus complied with.

Gov. Light's despatch, 1st January 1848. Guiana Civil List Pap., p. 4. *See* Appendix. Q. 745.

"With regard to the second of those demands, viz., a Loan Ordinance, it appears that it also was pressed upon the attention of Sir Henry Macleod at the same time; who, however, having instructions from home not to assent to such a law, declined to introduce it. A Bill or Draft Ordinance, however, for that purpose was introduced by a private member of the Court, and, without being sanctioned or passed by the Governor in the colony, was sent home by him for the opinion of the Home Government, who continued to disapprove of such a law, and it was rejected. It appears, however, from the evidence, that a very general misapprehension of these facts has hitherto prevailed among those most interested in the colony, and who have taken an active share in its concerns, who were under the impression not only that the Civil List of 1841 had been granted on the distinct understanding that both an Emigration and a Loan Ordinance should be passed, but that the latter had actually received the sanction of the Governor, and been passed in the colony, and was only disallowed by the Home Government. It was on this erroneous impression that a charge of breach of faith on the part of the Home Government was based.

See Mr. Sandbach's Evidence, Q. 1834 to 1870, both inclusive.

"The planters, however, did not cease to desire that immigration should be largely increased, and that the expense should be met by means of a loan on the credit of the colonial revenues; and in 1842 the Combined Court passed a resolution in which they declared that they would not vote the Civil List on its existing scale for 1843, unless in the course of the then current year a large and comprehensive measure of relief should be afforded to the colony by immigration or otherwise. Lord Stanley, who was then Secretary of State, adverted to this resolution in a despatch to Governor Light, of the 12th of October 1842, the whole of which will be found in the Appendix to this Report, and is well worthy of consideration. In this despatch he states that, notwithstanding a very serious falling off in the exports, the revenue sustained itself, and would in all probability be adequate to meet every necessary expenditure; and that "*if the Combined Court is under the impression that their vote is required by law for the maintenance of the Civil List, he is bound to say that he conceives this impression to be erroneous*;" and in a subsequent part of the despatch he proceeds as follows:—The power of stopping the general supplies may render it impossible to carry on business with the Combined Court on the peculiar system of representative legislation which has been temporarily adopted; but if it be so, and the public money and the affairs of the colony cannot be properly administered upon this system, it will be necessary that Her Majesty's Government should consider whether a system cannot be established by which the interests of the colony would be secured and permanently provided for. There can be no doubt that the possession of so much power as has been temporarily transferred to the Combined Court tends to the usurpation by that body of every other power, and also that the possession of unlimited power by a representative body resting upon so limited a constituency would be pregnant with abuse. But this is a reason rather for resisting encroachments in detail, than for yielding to them."

See Appendix No. 5 p. 261.

"The supplies for 1843 were however eventually passed; and subsequently, in the same year, the objections of Parliament and of the Indian Government to the importation of coolies having been then overcome, Lord Stanley wrote a general circular to the governors of such colonies as had expressed a wish for further facilities for immigration, and among others to the Governor of British Guiana, and their wish for raising a loan for the purpose of immigration was then acceded to. The Loan Ordinance which was proposed, and which was ultimately assented to by the Crown, was to create an annual charge on the colonial revenues for interest and sinking fund, covering a period of 20 years. The principle which the Government seems to have adopted at first was, that charges on the revenue for the interest and sinking fund of a loan should not be created without co-extension of the Civil List as a prior lien, so that no charges should at a future period fall to be provided for out of the revenue, precedently to those which were most essential to the good government of the colony. This principle was not, however, rigorously adhered to; and assent was given to an ordinance authorizing the creation of annual charges for a loan for 20 years, whilst the extension given to the Civil List was only for seven years beyond its termination in the year 1847, that is, till the 31st December 1854. It should here be remarked that the last renewal of the Civil List, made on the passing of the Loan Ordinance of 1844, was made without any condition whatever on the part of the Court of Policy.

Parl. Paper, 342 of 1846.

Gov. Light's despatch, 29 April 1844, p. 53.

Lord Stanley, 31 July 1844, p. 97.

Lord Stanley, 30 Nov. 1844, p. 131.

Ditto, 30 July 1845, p. 177.

But while the Civil List, thus for the third time renewed, was made a first charge on the revenue of the colony, the revenue itself was left for the most part dependent on taxes annually imposed by the Combined Court. For as the abolition of slavery had incidentally deprived the Crown of the greater part of the ancient revenue of the Sovereign's chest in 1834, so now it was deprived by the incidental consequences of another large measure of imperial policy, of a great portion of the residue of that chest. This happened by the cessation of the Imperial customs duties on the repeal of the Colonial Possessions Act.

Such being the relative position of the executive government of the colony and of the two Courts which divide between them the power of legislation and taxation, resolutions were passed at the close of the year 1847 by the Combined Court in favour of a reduction of all salaries guaranteed by the Civil List to the extent of 25 per cent. on their amount.

The reasons assigned for this reduction in the resolutions of the Court of Policy on the

Guiana Civil List Papers laid before this Committee, p. 4.

See p. 6, Papers relative to the Affairs of British Guiana.

30th of December 1847, were:—1. The low price of sugar, in consequence of the introduction of slave-labour sugar by the Act of the Imperial Parliament in 1846. 2. The inability of the colony to continue these payments. 3. That the Civil List was granted in 1841, and renewed in 1844, under the conviction that the faith of the nation was pledged to the exclusion of slave-labour sugar. These reasons were more fully explained in the following resolutions proposed in the Court of Policy on the 21st of March 1848:—"That the Acts of the Imperial Parliament for a series of years, previous to 1846, inflicted extensive injury on this colony; lessened materially the value of property, and by enhancing the cost of production, slowly, but surely, reduced the profits of cultivation, so as to leave little or no interest upon the capital invested; that the Sugar Duties Act of 1846, by admitting slave sugar to competition in the English market with free-labour sugar, has utterly annihilated the little value which previously attached to landed property, and has rendered it impracticable to continue the cultivation of the staple commodities at a remunerating price; that the result of the measure of 1846 has been to lower the value of sugar to such an extent that the proceeds are insufficient to cover the cost of production; that the colonists are in consequence plunged in deep distress, their means exhausted, and their utter ruin must follow, unless immediate measures of relief be afforded by the British Parliament; that Her Majesty's Government having announced their determination not to grant protection to sugar, the produce of British possessions by free labour, the colonists are unable to withstand the calamities which the measure of 1846 inflicted on all the resources and upon every interest of this colony. It is therefore the opinion of this Court, that the acts of the British Government, as carried out for a series of years, and their refusal to give any measure of protection to colonial industry, have rendered colonial property valueless; that in the present state of the colony, this Court cannot proceed to vote the estimate, or to take any part in raising the supplies, as the sources of income from which the colonial expenditure has hitherto been defrayed have ceased to be productive, and this Court is consequently deprived of the means of providing the necessary funds to support the civil government and institutions of the colony. The acts of the British Government have placed the colony in its present perilous situation, and on the British Government must the responsibility rest." And it was further stated, as a ground for the proceedings of the Combined Court, in an address from the elective members to the Governor, that the "conditions of the Civil List Ordinances had been violated" by the Act of the Imperial Parliament, which permitted the introduction of slave-labour sugar.

Despatches from Earl Grey to Governor Light and Lieutenant-Governor Walker, of 15th Feb., 17th June, 15th August, and 1st September 1848.

Guiana Civil List Papers, pp. 180 *et seq.*

Without entering into the motives or object which led to these declarations, it appears from the despatches which have been laid before us, that the Secretary of State directed the Governor to inform the Combined Court, that Her Majesty's Government would not consent to the proposed general reductions of salaries included in the Civil List, because the honour of the Crown was regarded as pledged to the holders of the offices to which these salaries were assigned, that they should be continued unaltered at least until the expiration of the period for which the Civil List had been granted; and the reduction was further objected to on the ground that if it were allowed to take place in the manner proposed, the arrangement made for providing a Civil List for a fixed term of years, would be virtually set aside; since if the right of the Combined Court to withhold all taxes unless such reductions as it might call for were conceded in the Civil List, the effect would be precisely the same as if the latter were only voted from year to year. It was likewise pointed out that there was no pressing necessity for the proposed reduction, inasmuch as there was no falling off in the revenue, which, on the contrary rather showed a tendency to improve; and also that this measure would do little or nothing for the relief of that class of the colonists who were chiefly suffering from the depressed state of the sugar trade, since the existing taxes fell almost exclusively upon the labouring classes, who, far from being unable to pay them, were in such easy circumstances that it has always been represented by the planters, that one of the chief difficulties with which they have to contend, is that the labourers can earn enough to satisfy all their wants by two or three days' labour in the week, and cannot therefore be induced to perform such an amount of regular labour as is required for the successful cultivation of sugar.

Revenue of British Guiana.

	In dollars.	
1842	838,970	*See* page 72 of Blue Book Reports for 1846.
1843	829,868	
1844	832,479	
1845	825,198	
1846	900,849	
1847 (estimated)	1,135,507.	

See Earl Grey's despatch to Governor Light, 15th February 1848. Page 180 of Civil List Papers.

1718, 1719. 2300. 2302. Sir H. Light, 947 to 959.

"The demand of the Combined Court to be allowed to effect the proposed reduction in the Civil List having been refused on these grounds, the Governor has however been instructed to inform the Combined Court that Her Majesty's Government had no wish to oppose any obstacle to the retrenchment of all unnecessary expenditure, provided due regard were shown to existing interests, and provided also that the reduction were made in such a manner as not to involve the principle of making the Civil List liable to annual revision by the Combined Court.

"The members of that Court not having been satisfied with this extent of concession to their demand for the reduction of the Civil List, nor with the aleration of the sugar duties which was sanctioned by Parliament, after having renewed the ordinances imposing taxes for three months, while the discussions on these points were in progress, finally allowed them to expire on the 30th of September, since which date the greater part of the colonial revenue has ceased, and there have been no means of defraying the expense of some of the most important branches of the public service.

"The injury thence arising to the colony has been very serious; and it appears from the papers which have been laid before us, that in the hope of putting an end to this state of things, Her Majesty was in the month of November advised to confer the Government of British Guiana upon Mr. Barkly, a gentleman himself largely interested in the colony.

By

" By the last advices, dated 3d April 1848, received from the colony, it appears that Governor Barkly had not been able to induce the Combined Court to rescind the vote in which, on the 20th July 1848, they had embodied their demand that the Civil List should be reduced from 30,072*l.* 17*s.* 4*d.* to 26,072*l.*; but, that being advised by the Chief Justice and the Attorney-general, that the rights of the Crown would be in no degree compromised by leaving in abeyance the question of the validity or nullity of that vote, he had, on the express understanding that that question was left in *statú quo*, proceeded with the annual estimates, and a majority of the Combined Court had given him their support in so doing.

British Guiana Civil List Papers, p. 62.

Draft of Resolutions, as proposed by Major *Blackall*, read a first time:

" 1. That in consequence of different alterations in the policy of Great Britain since the year 1833, the colony of British Guiana has been subjected to various fluctuations in her prosperity.

" 2. That owing to these circumstances, disputes have on several occasions arisen between the Home Government and the legislative bodies of the colony, as to the amount which ought fairly to be granted to provide for the Civil List.

" 3. That considerable doubts appear to exist as to the conditions on which the Civil List is granted by the colony, and the power of the Combined Court to grant or withhold the supplies for this purpose annually.

" 4. That doubts have also arisen how far the honour and faith of the Crown of this country is pledged for the support of the Civil List to a certain amount for a fixed period.

" 5. That in consequence of these doubts, collisions have taken place between the Governor of the colony (acting under the direction of the Home Government) and the local councils, which have resulted in the adjournment of the court *sine die* by the Governor, and the consequent stoppage of all supplies, and loss of revenue to the colony.

" 6. That at the present moment the colony appears to be labouring under great diminution of prosperity as compared with the year in which the present Civil List was framed.

" 7. That owing to disputes such as have been referred to, the colony is at this moment at issue with the Home Government, the Tax Ordinance is suspended, no supplies can be granted, and great loss and discontent has taken place in the colony.

" 8. That it would tend much to the allaying of this discontent, and prevent the danger of a recurrence of collisions similar to those to which these Resolutions refer, were the Civil List now taken into deliberate consideration, with a view to such reductions as may appear equitable, and means adopted to define and determine the powers of the Governor and the local courts respectively.

Motion made, and question proposed, " That the draft of Report, as proposed by the Chairman, be now read a second time.—(The *Chairman.*)

An amendment was proposed to be made to the question, by leaving out the words " The Chairman," for the purpose of inserting " Mr. Hawes " instead thereof.—(Mr. *Hawes.*)

Original question, and proposed amendment, by leave, withdrawn.

Motion made, and question proposed, " That the opinion of this Committee respecting the grievances complained of in the Crown colony of British Guiana shall be contained in one report," (Mr. *Disraeli,*) it was resolved in the affirmative.

[Adjourned till Tuesday, at Twelve.

Jovis, 10° *die Maii*, 1849.

Present:

Mr. Baillie, in the Chair.

Sir James Hogg.	Mr. M'Cullagh.
Mr. Wilson.	Mr. Hawes.
Mr. Adderley.	Mr. Disraeli.
Sir Robert Peel.	Mr. S. Wortley.
Sir Joshua Walmsley.	Mr. C. Villiers.
Lord Hotham.	Mr. Gladstone.

Committee deliberates.

The Draft Report, as proposed by Sir Robert Peel, was read a first time, as follows:—

" Upon a review of the several circumstances above adverted to, Your Committee is of opinion that the Crown is entitled (if considerations of good faith or of public policy appear to the Crown to require it) to insist upon an adherence to the Civil List arrangement made in 1844, for the full period for which the Civil List was granted; and that the Combined Court is not justified in the attempt, either by direct or indirect means, to set aside that

arrangement. At no remote period the whole of it will be open to review; and Your Committee strongly recommends that in the interim, whenever there may be vacancies in offices included in the Civil List, no permanent appointment should take place until the circumstances of the vacant office have been fully considered, in friendly concert with the Colonial authorities, for the purpose of ascertaining whether the maintenance of such office be necessary; and, if necessary, whether the office require regulation, and whether its emoluments can properly be reduced.

"These questions should be determined with exclusive reference to two considerations: the upright and efficient discharge of public duties at the smallest pecuniary charge; and the general welfare and protection of the several classes of Her Majesty's subjects resident within the colony.

"From the principle of revision, so far as the reduction of emoluments is concerned, the office of Governor of the colony, an office which has become vacant since the Civil List arrangement was made, ought not to be excluded.

"Your Committee understands that the appointment was accepted by the present holder of it, with the distinct intimation that the emoluments were liable to reduction. The salary of the office of Governor was raised, in the year 1841, from the sum of 3,500*l.* to 5,000*l.* per annum, mainly on the ground that the price of provisions in British Guiana was extraordinarily high, and that in Guiana the cost of living far exceeded that in the Island of Antigua, for the Governor of which a salary of 3,000*l.* was provided.

"Your Committee is of opinion that it is a fit subject for inquiry, not merely whether the special grounds on which the increase in question was recommended still exist, but whether, all circumstances considered, a salary of less amount than 5,000*l.* per annum would not suffice to induce a person perfectly qualified in every respect to undertake the duties of the office, and to enable that person to meet all the legitimate expenses to which the Governor is subject.

"It would no doubt be an unwise and short-sighted economy to exclude from an important trust, by the inadequacy of the emoluments attached to it, those persons who possess the qualifications required for the discharge of its duties.

"Due weight on the other hand ought to be given to the following considerations: that the agriculture of the colony is in a state of great depression; that every degree of retrenchment in the public expenditure, that is consistent with justice and good faith, is imperatively called for; that an example of the reduction of emoluments set by the Governor would increase his personal influence and authority in the colony, and would tend to reconcile the holders of subordinate appointments to the application in their own case of a rule to which the highest authority in the colony had voluntarily and cheerfully submitted.

Although this Report is confined to the separate question of the Civil List, Your Committee cannot advert even incidentally to the subject of civil appointments in British Guiana, without expressing their opinion, founded on evidence which they have received with regard to the nomination to certain offices, and to the manner in which the duties of those offices have been discharged, that it is a subject which demands full inquiry and careful consideration, with a view to the correction and prevention of abuses, and to the efficient and economical administration of the Public Service.

Motion made, and question proposed, "That the draft of Report, as proposed by the Chairman, be now read a second time."—(The *Chairman.*)

An amendment was proposed to be made to the question, by leaving out all the words from the first word, "That," for the purpose of inserting "the introduction to Sir Robert Peel's Report, as proposed by Mr. Hawes, instead thereof."—(Mr. *Hawes.*)

Question put, "That the words proposed to be left out, stand part of the question."

The Committee divided.

Ayes, 3.	Noes, 8.
Mr. Disraeli.	Sir James Hogg.
Sir J. Walmsley.	Mr. Wilson.
Mr. Adderley.	Mr. Hawes.
	Mr. S. Wortley.
	Mr. M'Cullagh.
	Sir Robert Peel.
	Mr. Charles Villiers.
	Lord Hotham.

So it passed in the negative.

Proposed words added.

Resolved, That the introduction to Sir Robert Peel's Report, as proposed by Mr. Hawes, be now read a second time.

[Adjourned till Tuesday, at Twelve.

Martii, 15° *die Maii*, 1849.

PRESENT:

Mr. BAILLIE, in the Chair.

Mr. Hume.	Mr. Hawes.
Sir James Hogg.	Mr. Adderley.
Lord Hotham.	Mr. Disraeli.
Mr. Charles Villiers.	Sir Joshua Walmsley.
Mr. Wilson.	Mr. M'Cullagh.
Mr. S. Wortley.	Mr. Gladstones.
Sir Robert Peel.	

Committee deliberate.

The introduction to Sir Robert Peel's Report, as proposed by Mr. Hawes, was read a second time paragraph by paragraph.

The first paragraph was agreed to as far as the word "dependencies," the rest of the paragraph was omitted, and the following words substituted on the motion of Sir Robert Peel: "Have proceeded to inquire into the condition of British Guiana. They will address themselves, in the first place, to questions relating to the Civil List, in respect to which serious differences have existed between the executive and representative authorities of the colony, the result being the expiry of certain Ordinances by which a very considerable portion of the colonial revenue was raised."

A motion was made, and the question was proposed, "That the first paragraph so amended stand part of the Report."—(Mr. *Hawes.*)

An amendment was proposed to be made to the question, by leaving out all the words from the first word "That," for the purpose of inserting the following preamble as proposed by Mr. Hume instead thereof.

"Your Committee, appointed 'to inquire into the Grievances complained of in the Crown Colonies of Ceylon and British Guiana, in connexion with the Administration and Government of those Dependencies, and to report their Opinion whether any measures can be adopted for the redress of any Grievances of which there may be shown just reason to complain, and also whether any Measure can be adopted for the better Administration and Government of these Dependencies," have proceeded with their inquiries; and having, at the request of the Under Secretary for the Colonies, first taken the case of the Colony of Demerara into consideration, have agreed to the following Report.

"There are several petitions from that colony before the Committee; but the statement in their last petition, prepared at the end of December 1848, and presented to The House on the 20th of March 1849, appears sufficiently to set forth their grievances and complaints, of which the following are the principal:

Petition presented 25 March 1849. App. 405.

"'1st. The want of continuous labour, which has caused so great a diminution in the exports of the colony, and which may be attributed to the Emancipation Act not having been accompanied by immediate arrangements for the introduction of immigrants, to supply the deficiency occasioned by the withdrawal of a large portion of the population from agriculture.

"'2d. The want of proper laws for regulating the relations between the employer and the employed, and other measures, called for by the altered state of society consequent on the passing of the Emancipation Act.

"'3d. The Sugar Act of 1846, which placed the British colonies in competition with slave countries, under circumstances of such inequality, as to render the produce of the former actually insufficient to defray the cost of its production, and the persistence in that measure, notwithstanding it has been abundantly proved by the evidence taken before the Committee of your Honourable House, presided over by the late Lord George Bentinck, that sugar can be produced by slave labour at a much lower cost than it can by free labour in any British possession.

"'That the taxation to which the inhabitants of this colony have been subjected, at all times extremely onerous, has become absolutely insupportable; and your petitioners regret to say that the efforts made by the colonists and the Legislature to effect a retrenchment suited to their altered circumstances, have been met by determined opposition on the part of Her Majesty's Secretary of State for the Colonies, who, while refusing to permit any reduction in the salaries of the officers on the civil list in this colony appointed by the Crown, has sanctioned such a reduction in the neighbouring island of Trinidad, where, unquestionably, it was not more called for than it is here.

"'That your petitioners have to express their disappointment that the many promises made by Her Majesty's Government during the late Session of Parliament, in regard to the promotion of extensive emigration from Africa, and especially the conveyance, at the expense of Government, of captured or liberated Africans from Sierra Leone to the West Indies,

 remain,

remain, up to the present hour, unfulfilled. So far indeed from forwarding the captured and liberated Africans as promised, the Right Honourable Her Majesty's Secretary of State for the Colonies has positively refused to grant licences to vessels proposing to proceed to Sierra Leone to convey such Africans to this colony. Your petitioners feel they need not here dwell upon the fact, incontestably proved, and now universally admitted, that Africans are far better suited to the climate of British Guiana than any other class of people whatever, and that, if introduced into this colony, their social and moral condition would be very materially advanced and improved.'

"Your Committee submit, that it is necessary to consider these items separately and carefully in order to understand the condition of the colony at the end of 1847, when the more immediate cause of the dispute between the Governor and the Combined Court commenced, viz. whether the Combined Court should be allowed to make any reduction in the Civil List.

"Although the short supply of labourers to the colony, in proportion to the demands of the planters, ever since the abolition of slavery and the termination of the apprenticeship, and the consequent high rate of wages, as well as the non-introduction of vagrant laws of sufficient force to prevent squatting and idleness, have been constant subjects of complaint, yet it is impossible to deny that the passing by the Imperial Parliament of the Act of 1846, by which slave-grown sugar was admitted to the British markets in competition with the British colonial sugar, has been the greatest source of discontent to that colony.

"It appears from the documents before Your Committee, that after the passing of the Act of 1846 the price of colonial produce, sugar, coffee, &c., fell greatly in the British market, whilst the want of a sufficient number of labourers in that colony kept up the price of labour and the expenses of cultivating the estates thereby continued so disproportionately high that the proceeds of the sales of the colonial produce did not, in scarcely any instance, in the year 1847, replace the capital expended on the production of the crops.

"Your Committee cannot however overlook the fact that the difficulties of the planters were greatly increased by the state of the money market, and of the credit of their correspondents in Great Britain in the year 1846-7, so that even, by the end of the year 1847, some of the sugar estates had been abandoned, and general distress had overtaken the planters of that once prosperous colony.

"The colonists petitioned the Imperial Parliament for relief by the repeal or modification of the Act of 1846, or at least for some provisions to admit an adequate supply of labourers to the colony to secure continuous labour at such reduced yet adequate wages as might give the planters a chance of reducing the expenses of cultivation, and of enabling them to compete in the English market with the produce of slave states.

"Having thus petitioned Parliament to afford them assistance under their distressed circumstances, and learning the determination of the Legislature neither to modify in any manner the Bill of 1846, nor to afford them an adequate supply of labourers, the planters then directed their efforts to obtain such relief as they could effect by their own exertions in the colony itself. Meetings were held in George Town and other places to petition the Court of Policy that they would institute a rigid inquiry into the expenditure of the colony, as the inhabitants were unable to bear the burden of taxation; and the Court of Policy accordingly, when the Estimates for the year were brought before them, took into consideration the propriety of immediately reducing their colonial expenditure in order to enable them to reduce the Estimates, a course which appears to have been thus forced on them by the great reduction in the value of colonial produce, the continued heavy expense of production, and the inability of the colony to maintain so high a scale of establishments.

P. 5, Blue Book. "With these views the Court of Policy, at their meeting on the 30th December 1847, when the Estimates were first proposed, passed the following resolutions, which were all agreed to without a division. Governor Light presiding.

"'That this colony being essentially agricultural, and possessing neither manufactures nor commerce, is dependant for its prosperity or decay upon the extent of its exports, and the value which they may realize in the markets of Europe.

"'That in consequence of the recent measures of the Imperial Government, by which sugar, the produce of slave labour, has been admitted to competition with sugar the produce of free labour, the value of our colonial exports has diminished to an alarming extent, and cannot now be estimated at more than 3,500,090 dollars, or about 700,000 *l.* sterling.

"'That the estimate of expenditure, passed for the current year, amounts to 1,083,981 dollars, or very nearly one-third in value of the total amount of our exports during the same period.

"'That under these circumstances of distress and exhausted resources, it has become matter of imperative necessity, that an extensive reduction should be carried out in every branch of the annual expenditure. The colony is no longer able to continue the liberal outlay which has been hitherto extended, with no niggard hand, in support of the Civil Government, and of our various public institutions, civil, ecclesiastical, educational, and eleemosynary. Many of these institutions were established after the era of freedom in 1838, and have since been maintained, and have been enlarged to the utmost limits of our resources, in order to promote the civilisation and social progress of the emancipated classes.

"'That the Civil List of 1841, amounting to the large sum of 39,072 *l.* 17 *s.* 4 *d.*, was founded on the presumption that, whatever other changes the Imperial Government might deem it necessary to introduce into the commercial relations of the mother country, sugar, the produce of slave labour, would, under every contingency, continue to be excluded from

from admission into the home markets, upon equal terms with sugar the produce of free labour.

" ' That the Civil List of 1841, terminating on 31st December 1847, was renewed in 1844 for a period of seven years, the Colonial Legislature being impressed with the conviction that the exclusion of slave-labour sugar from the home markets was a fundamental principle of the policy of the mother country, to which the faith of the nation had been irrevocably pledged.

" ' That the Civil List of 1841 would not have been renewed in its integrity, if the Colonial Legislature could have foreseen that the ancient landmarks of the imperial commercial policy were so soon to be swept away, and that distress and decay, as a result of those changes, would so soon threaten to overwhelm the most important interests and most valuable institutions of this once prosperous colony.

" ' This Court, therefore, actuated by the firm conviction that the colony is no longer able to bear the burthen of the annual expenditure hitherto incurred, considers—

" ' 1. That the present Civil List ought to be reduced at least 25 per cent., and that Her Majesty's Government be therefore solicited to authorise his Excellency the Governor to sanction such reduction on every item of the Civil List.'

" ' 2. That a searching and rigid economy is imperatively necessary in every department of the public expenditure, so as to adapt the various institutions to the altered circumstances and reduced means of the colony; and that all salaries exceeding 700 dollars per annum should be reduced in a corresponding ratio with the reductions in the Civil List.'

" And the Court respectfully requested Governor Light to transmit a copy of these Resolutions to Earl Grey, for the consideration of Her Majesty's Government.

" At the next meeting of the Court of Policy, on the 29th of February 1848, the Governor proposed to proceed with the annual Estimates for the expenditure of the colony for the year, but it was resolved, and the Governor acquiesced in the resolution, to postpone the consideration of the Estimates until the 15th of May 1848, ' as the state of the colony was such that no Estimate that could be framed could be taken as a guide for the expenditure of the colony for the financial year 1848–49,' and, by which day also, the court expected they would be in possession of Earl Grey's answer to the request they had respectfully made on the 30th of December 1847, to be allowed to reduce the Civil List and other salaries 25 per cent. P. 9, Blue Book.

" Up to this period, therefore, the Court of Policy and the Governor do not appear in this matter to have acted in opposition to each other. On the contrary, Governor Light, in a private and confidential despatch to Earl Grey, dated March the 18th, transmitting the Resolutions of the Court of Policy of the 29th of February, thus expresses himself in support of their views :— P. 11, Blue Book.

" ' As to the distress of the planters, there can be but one opinion. Absent or present, proprietors all are in the same category, and are contemplating the abandonment of estates.'

" ' I believe at this moment if any person could influence a change in the present stand against Civil List and Supplies, it would be myself; thus are opinions changed, but despair breaks all forms; and unless I am able by the next mail to communicate some concessions to the planters, your Lordship will have to settle their financial difficulties as circumstances demand.'

" ' The labourers have money that has been expended on them since emancipation; whatever may be their rise in society hereafter, they are totally unfit now to carry on the cultivation of estates without some responsible head.'

" Your Committee consider that Governor Light deserves credit for this frank warning and important communication to Earl Grey, to prepare him, as was his duty, to expect unpleasant proceedings in the colony, unless some concessions were made to the wants and wishes of the colonists, in their then excited state as regarded the amount of the Civil List and Supplies: But, on the other hand, Your Committee must express their surprise at the apparent inconsistency of the Governor's subsequent conduct, when in connexion with the above quoted opinions. For, on the 2d of April, only 14 days after the date of this confidential despatch, Governor Light summoned an extraordinary assembly of the Court of Policy, for the 10th, and at that meeting proposed to bring forward the Estimates as ' an order of the day'; but the Elective Members protested against such a course, as by recorded vote on the 29th of February, it had been agreed by the Court, with the Governor's consent, to postpone their consideration to the 15th of May. P. 9.

" The Elective Members at the same time recorded on the Minutes of the Court a declaration that they were willing to ' renew the Tax Ordinance for a limited period, to prevent any loss accruing to the revenues of the colony by the expiration of the Tax Ordinance, as occurred in 1843.'

" Governor Light however refused this offer, but agreed to postpone the proceedings to the following day (April the 11th), when he persisted in having the Estimates again brought up, and stated to the Court that he saw no sufficient reasons for postponing them, although they stood postponed with his own sanction to the 15th of May. P. 19

" Your Committee must refer to the minutes of the Court of Policy of that day for the extraordinary proceedings that took place. The Estimates were forced through the Court by the casting vote of the Governor, against the votes and against the following protest of the five Elective Members. Enclosure, No. 3.

" "We, the undersigned Elective Members of the Court of Policy, enter our solemn protest against the proceedings of the Court this day, for the following reasons:— P. 28.

" ' Because proceeding with the Estimate is in violation of the Resolution of this Court, dated

dated 29th February, wherein the Court postponed the consideration of the Estimate until the 15th May 1848.

" ' Because the same reasons which influenced the Court to postpone the Estimate then, apply with even greater force now, as, instead of any improvement having taken place in the circumstances of the colony since the 29th of February, the condition of it is much worse than it was on that day. Out of the whole creole population not more than 7,000 are at work, and those in many districts at the old rate of wages.

" ' Because the proceedings of this day are illegal and unconstitutional.

" ' 1st. Because if his Excellency the Governor can, by his casting vote, carry measures of finance, the functions of the Elective Members are rendered nugatory and of no avail.

" ' 2d. Because every item of the Estimate has been carried by the casingt vote of his Excellency, which, in matters of finance, is unconstitutional, illegal, contrary to the usage of this Court, and opposed to every principle of sound legislation.

" ' (signed) *Peter Rose, Jas. T. White, James Stuart, John Jones, Thos. Porter*, jun.'

" ' 11 April 1848.

P. 19. " It further appears that Governor Light, in his despatch of the 13th of April to Earl Grey, reporting the proceedings of that meeting of the 11th, states, ' That on the suggestion of Mr. Arrendill, it was agreed that the Estimates should be read *pro formâ*, and that the Government Secretary should note on the Minutes that the items were all carried by the casting vote of the Governor against the consent of the Elective Members, whose protest would be recorded.

" ' I wish, however (adds the Governor), to prepare your Lordship for the worst, a stoppage of the supplies, or a renewal of the Tax Ordinance of 1847 for a limited period beyond the 30th of June.'

" ' The distress, however, amongst a large class of planters is such, that no credit can be obtained, and the probability is, that not having money to pay their labourers, their estates must be abandoned; this is indeed a sad prospect, but it will throw more hands into the labour market for those who can weather the present storm.'

" ' I regret to think your Lordship may have embarrassment from the measures which are threatened by Mr. Rose and his party; the Executive is helpless in the Combined Court, if the same spirit be there as in the Court of Policy; and according to the opinion signed J. Dodson, J. Campbell, and Thomas Wilde, the law authorities of the Crown, and transmitted to me by Lord John Russell's despatch, No. 132, dated the 28th October 1840, Parliament alone can interfere in the taxation of the colony.'

" Thus matters remained until the arrival of Earl Grey's despatch of the 15th February, in answer to Governor Light's despatch of the 1st January: it was received in the colony about the 21st of March, in these words: ' I request ' (his Lordship writes,) ' that you will inform the Court of Policy that I am unable to concur with them in the proposed reduction
P. 180. of salaries on the Civil List.'

" The planters, merchants, and other inhabitants of British Guiana were greatly displeased, and they assembled in public meeting, on the 26th of April, to complain of the
P. 38, Blue Book. conduct of the British Government and the Secretary for the Colonies, and the following parts of their declaration are important to show the feeling and opinion of the meeting:—

" ' We desire to express our utter dismay, our bitter disappointment, on finding that Her Majesty's Government have announced their determination to withhold all substantial relief from the West India Colonies, which their own impolitic and unjust legislation has brought to the very verge of ruin.'

" ' We desire to express our astonishment and indignation at the tenor of a despatch from Her Majesty's Secretary of State for the Colonies, dated 15th February last, who pretends to expect that this colony, already half ruined by the measures of Government, can support colonial institutions (sufficiently extravagant at any period), but certainly framed during a period of comparative prosperity, and when slave-sugar was entirely prohibited from consumption in the markets of the mother country.'

" ' We desire most earnestly, but respectfully, to recommend to the Elective Members of the Honourable Court of Policy, as well as to our Financial Representatives, that whilst avoiding, by every means practicable, all factious opposition, or any measure which might tend to embarrass the executive or local government of the colony, they should at the same time unflinchingly and firmly maintain their determination to protect the interests of the colonists to the utmost of their power, by demanding, if called upon to discharge the functions of their office in the Combined Court, (before proceeding to the consideration of any Estimate,) a full recognition of their undoubted duty and right to reduce the entire public expenditure of the colony to a proper level with its depressed, altered, and melancholy reduced circumstances.'

" Your Committee may here observe, that notwithstanding the great excitement in the colony on the promulgation of Earl Grey's despatch, as manifested at the public meeting, the Elective Members of the Combined Court, at a meeting on the following day (the 27th of April), proposed to adopt measures for the protection of the revenue, and for the extension of the Tax Ordinance, about to expire on the 30th of June, to the 15th of August; but Governor Light refused, and recorded the following minute:—

" ' Minute

" ' Minute of His Excellency the Governor to the Combined Court.

" ' Having considered the recommendation of a majority of this Court, to the effect that P. 38, Blue Book.
' I would sanction the introduction of a Bill to extend the present Tax Ordinance, which will expire on the 30th June next, until the 15th August 1848,' I regret that I cannot accede to this recommendation. I nevertheless, under existing circumstances, will undertake the serious responsibility of accepting a renewal of the Tax Ordinance, to continue in force for three months from its expiration on the 30th June 1848. It will be competent, however, to this Court, notwithstanding such renewal, to proceed with the public business of the colony before the expiration of the renewed Tax Ordinance.'

" ' 27th April 1848.' "

" The whole of the eleven Elective Members recorded their protest, and a declaration that the sole responsibility of any loss that might accrue to the revenue must rest on the Executive.

" Your Committee consider it important, with reference to the future, to call the attention of Your Honourable House to the conduct of Governor Light at the meetings of the Court of Policy, and of the Combined Court on the 10th, 11th, and 27th of April, as it had a P. 28. 37.
strong and direct tendency to increase the great excitement, which he had reported in his despatch of the 18th of March, to exist in the colony respecting the Civil List and Supplies; and his refusal to accept of the extension of the Tax Ordinance, as proposed on the 27th by the Court, was certainly calculated to produce the very rupture between the Courts of Policy, the Combined Court, and the Executive Government, which he deprecated in his despatches to Earl Grey, of the 13th April, describing the distress of the Planters and the necessity of granting them some relief in order to avert a stoppage of Supplies.

" Governor Light left the Colony under those unpleasant circumstances on the 19th of May, and was succeeded by Mr. Walker, the Secretary to the Government there.

" It appears, by Governor Walker's despatch of the 16th of June 1848, that he had waited the arrival of the latest steamer that could bring mails from Europe before the 30th P. 52.
of that month, in the hope of receiving instructions from Earl Grey connected with the state of affairs in the colony; but no instructions were received, and he summoned the Courts of Policy, combined with the Financial Representatives, on that day; and a Bill was brought in and agreed to by a majority of the Court, extending the Tax Ordinance of the year 1847 for three months beyond the 30th of June, as had been offered to, and refused by Governor Light; thus preventing any loss to the revenue up to the 30th of September; but the Ordinance was passed under a protest from five members of the Court, entered on the minutes, ' against the appropriation of any funds to be raised under its provisions, until the Estimate for the ensuing year shall have been discussed.'

" The Combined Court met again on the 20th of July, and Governor Walker, having caused Earl Grey's despatch of the 17th of June to be read, directed the secretary to read the Estimates in the usual manner. Mr. Davison, one of the Financial Representatives, moved to the effect, that the salary of the Governor should be reduced from 5,000*l.* to 3,500*l.*, founding his motion on the paragraph of Earl Grey's despatch, intimating his readiness, in the case of a vacancy in a Civil List office, to consider the propriety of a reduction in the salary. The Governor refused to put the question in that form, but allowed another to be substituted, to the effect that the Civil List should be reduced from 39,072*l.* P. 60.
to 26,072*l.* for the year. The amendment was carried by nine to five, two financial members declining to vote.

" Governor Walker had previously stated, that if the amendment was carried he would not proceed with the Estimates, and he then adjourned the Court *sine die*, leaving the rest of the Estimates untouched.

" As a charge has been made against the Court of Policy and the Combined Court of stopping the supplies, Your Committee considered it necessary thus particularly to state the facts connected with the interruption of the business of the colony, that The House may judge and decide where the fault really rests.

" The dispute between Earl Grey and the Courts in the colony is, whether they had the power to reduce any of the salaries that are included in the sum of 39,072*l.*, fixed for the Civil List of the colony; and it is important to observe, that on that day Earl Grey's P. 181, Blue Book.
despatch of the 17th of June was read; viz. " that he entirely approved of the course taken by Governor Light in refusing a renewal of the Tax Ordinance for the period proposed (viz. three months beyond the 30th of June); and further, that if no Tax Ordinance shall have passed before the receipt of that despatch, he instructed Governor Walker not to give his assent to any Ordinance renewing the necessary provision for the public expenditure of the colony for a shorter time than the termination of the customary financial year.'—(June 1849.)

His Lordship adds, " If great loss and serious injury should be inflicted on the colony by the stoppage of the customary supplies, I shall greatly regret it; but the responsibility will rest entirely with the Members of the Combined Court, who have refused to pass the annual Ordinance."

Your Committee have to remark, that, at the very time (the 17th of June) his Lordship P. 181.
was writing that despatch and throwing the responsibility on the Members of the Combined P. 53.
Court for stopping the supplies, Governor Walker, not having received his Lordship's orders forbidding him to accept the extension, had exercised his own discretion, and had agreed with the Court to vote those supplies to the end of September. Governor Walker had

had, on the 16th of June, on his own responsibility, accepted the extension of the Tax Ordinance, and thereby prevented loss to the revenue, and it was in consequence only of the orders of Earl Grey, in his despatch of the 17th of June, as already stated, that he refused to allow supplies to be voted after the 30th September for less than the whole year.

The Court of Policy and Combined Court deny the interpretation put by Earl Grey upon the Ordinance of the Civil List being placed out of the power of the Combined Court to reduce and modify, and they appeal to Your Honourable House to decide the question in dispute between them.

The Combined Court claim by the law and usage of the colony to have the right of examining and of voting every item in the whole annual Estimate. Lord Grey holds that that Court has no right to reduce one pound from the amount of the Civil List, as settled in 1841 and renewed in 1844, until the year 1854; and, to prevent the Court making any reduction in that List, Governor Light prevented the motion to that effect being put in the Combined Court, and adjourned the Court *sine die*.

It also appears by Governor Light's despatch of the 18th May to Earl Grey, that at the last meeting of the Court of Policy on the 15th, he had excluded from the Minutes of the Court, the Report of a Committee of its members appointed on the 8th of May to take into consideration certain public despatches that had been on that day received from England and read to the Court, a proceeding very questionable in the opinion of Your Committee.

To enable Your Honourable House fully to comprehend the way in which the disagreement and unpleasant proceedings have arisen between the Governor and the Court of Policy and the Combined Court since the 30th December 1847, Your Committee submit an extract from a petition, presented on the 20th of March 1849, to Your Honourable House by the inhabitants of British Guiana, containing a statement of the constitution of the colony, together with their remarks upon its anomalies; and concluding with the opinion, that a change in the Legislative and Financial institutions of the colony is absolutely necessary to protect the rights of the colonists.

" The constitution of the colony at present is:

"' 1st. The Court of Policy, consisting of 10 Members, five Ex-officio, and five Elective; the Governor of the colony presiding, and having, on all occasions, a casting vote.

"' The Combined Conrt, consisting of the Members of the Court of Policy, and six Financial representatives, elected by the constituency, and assembling once in each year for the purpose of passing the Annual Estimate, and raising the Ways and Means to meet it.

"' That in the Court of Policy the Government, by the exercise of the Governor's double vote, has at all times the power of carrying through that Court any measure they may please, however objectionable it may be to the Elective Members of the Court, and prejudicial to the interest of the colony. By the exercise of the same arbitrary means, the Veto can be placed upon the introduction and progress of any measure, however beneficial its object, when proposed by an Elective Member of the Court; thus rendering the representatives of the colonists utterly powerless. In the Combined Court, where the Elective Members constitute the majority, the double vote does not exist, but by the exercise of an alleged prerogative, the Governor, when dissatisfied with a vote or resolution of such majority, can put an end, at any period of the Session, to the functions of the Court (by adjourning the Court), thereby rendering it nugatory as respects the object of its institution.

"' That during the present year, 1848, both of the above arbitrary expedients, for controlling and rendering abortive the constitutional and legitimate functions of the Court of Policy and the Combined Court, have been resorted to by successive Governors. Governor Light, in the month of March, by means of his double vote, not only carried through the Court of Policy the Estimate for the year 1848 and 1849, amounting to the enormous sum of upwards of a million of dollars, in direct opposition to the votes of the five Elective Members of the Court, but went even so far, on another occasion, as to prevent the Elective Section from placing on the records of the Court the report of a duly appointed Committee; and Lieutenant-governor Walker, in September last, when dissatisfied with a vote of a majority of the Combined Court, in reference to the Civil List, abruptly adjourned that Court '*sine die*.' By this last mentioned unconstitutional act very serious injury has been entailed on the colony; inasmuch as the Tax Ordinance of 1847 and 1848, having been suffered to expire on the 30th September, at least 150,000 dollars of the ordinary revenues have been for ever lost to the colony, and a further impediment to the general reduction of its taxation thereby occasioned. For these, and other reasons your petitioners are of opinion that a change in the Legislative and Financial institutions of this colony is absolutely required for the protection of their just rights.'

" Your Committee have before them a case, carefully prepared by James Stephen, Esq., one of the Secretaries of the Colonial Office, detailing the principal proceedings in the colony of British Guiana from the year 1788, under the Dutch and British Governments, and of the several disputes that had taken place between the Governor on one side, and the Court of Policy and Combined Court on the other, at different times, respecting the powers of the several parties over the taxation and expenditure of the colony; and, as that case was prepared by direction of Lord John Russell, when Secretary of State for the Colonies in 1840, in which year the customary supplies were stopped on account of a dispute then existing between Governor Light and the Courts, it appears sufficient for the Committee to adopt on the present occasion the opinion of the law officers on the matters therein submitted to them; and the following is their opinion thereon:

Paper, No. 17, laid before this Committee.

"' We

"'We are of opinion that the power of Her Majesty in Council to raise a revenue in British Guiana cannot be legally and constitutionally exercised by Her Majesty.'

"'British Guiana does not appear to us to be in the situation of a conquered colony, in which the Crown has supreme legislative authority.'

"'By the capitulation of the 19th September 1803, it was stipulated, 'That the laws and usages of the colony should remain in force and be respected; that the mode of taxation then in use should be adhered to, and that no new establishment should be introduced without the consent of the Court of Policy as the Legislature of the colony'.'

"'This capitulation is binding in good faith upon the Crown; and even in strict law, we conceive that the sanction of the Crown since the cession of the colony, to the political institutions in existence, has given the same force to these institutions as if they had been established by an express grant from the Crown like the legislatures in colonies settled by British subjects.

"'Looking to the laws and usages and mode of taxation prevailing in the colony in 1803, and since sanctioned by the Crown, we are clearly of opinion that no tax can lawfully be imposed there except by the Combined Court. Notwithstanding the recent origin of the representatives for taxation, they were fully established in 1803, and have been uniformly recognized since that time, while they confined themselves to their proper functions of providing ways and means for the supplies voted by the Court of Policy.

"'But whatever doubts there might be as to the power of the Combined Court to interefere with the Estimates, its exclusive power to raise a revenue by internal taxation has been uniformly admitted and acted upon."

"'Therefore, however much the members of the Combined Court may misconduct themselves, we apprehend that their power of taxation cannot be considered as transferred to the Crown.'

"'The only other question submitted by your Lordship is, 'By what other authority, and under what limitations, that power (of taxation) may be lawfully exercised?'

"'We are of opinion that if the Combined Court refuses to act, there is no mode in which a tax can lawfully be imposed in British Guiana without the interposition of the Imperial Parliament.'—Doctors' Commons, 21 October 1840.'

"It will be seen, by reference to that case submitted to Dr. Dodson, Sir John, now Lord Campbell, and Thomas, now Sir Thomas Wilde, that there had been in past years frequent disputes between the Governor and Courts both under the Dutch and the British Government respecting famine, and that, in almost every case, the dispute had terminated in a compromise, or acquiescence in the right claimed by the Court of Policy to fix the amount of expenditure, and by the Combined Court to provide the ways and means to pay it.

"The Governor has always been the Executive Officer to carry out the financial votes of these courts. It should be noticed that there are two funds in the colony from which payments have been made: one the Queen's Chest, the other the Colonial Treasury. Over the first the Crown and Governor have exercised full control; the Court of Policy and the Combined Court have always claimed and exercised power over the latter; and, it is with respect to that power that the present dispute originated, and which Your Honourable House has to decide.

"On the 28th October 1840, Lord John Russell forwarded to Governor Light a copy of that case that had been addressed to the law officers of the Crown, and also of their answer. In the Despatch, his Lordship reiterates the opinion of the law officers of the Crown, 'That it is not competent to Her Majesty in Council to impose taxes;' and that 'the only funds which can be disposed of by the Crown and the Court of Policy, without the help of the Combined Court or of the Parliament, are, first, the Surplus Customs Duties, and, second, the Queen's Chest Revenues.'

"At the end of 1840 Sir Henry Macleod was sent from Trinidad to British Guiana to arrange the dispute that then existed between Governor Light and the Court of Policy, and with the whole of that case before him, and the opinion of the law officers of the Crown thereon, he was able to settle the differences, and to obtain the consent of the Court of Policy, and of the Combined Court, to a Civil List amounting to 39,072 *l.* yearly, for a period of seven years. That Civil List was renewed in 1844 to continue to the year 1854, but the payments have been made subject always to be voted annually by the Court of Policy and the Combined Court, in the same way as all the other annual charges have been voted.

Lord J. Russell's despatch, 30 Sept. 1844. to Sir H. Macleod, No. 5.

"Evidence has been taken by Your Committee, to which they refer, as to the alleged conditions, by way of compromise, under which that Civil List was first agreed to; but the verbal proceedings, or compromise, at that time, or subsequently in 1844, when the Civil List was extended to the year 1854, seem to be of little import, as the power claimed by the Combined Court to vote annually the Civil List as part of the Estimates of the year, was continued without alteration or objection until April 1848, in the same manner as the power over the Colonial Treasury had been exercised by the Combined Court from the capitulation of the colony to the time when the opinions of the law officers declared that that Court alone could exercise the power.

See Gov. Walker's v. of 30 July, p. 64.

"Your Committee submit that there can be little doubt as to the state of the law and practice in British Guiana, by which all monies from the Colonial Treasury must be issued by the Vote of the Combined Court; and further, that that Court has the right of reducing or striking off any item submitted to it, according to the rules, approved of by the Secretary of State on 8th June 1842 for the conduct of the Combined Court, distinctly provide.

See P. 64. par. 19. Correspondence, 1848.

"Although there is a distinct Ordinance for settling the amount of the Civil List, there is

no provision in it for making the payments from the Colonial Treasury under that Ordinan in any other than in the ordinary manner by votes of the Combined Court.

"It is submitted, therefore, that when the distress of the colony required relief from the burthen of taxation, it was but reasonable that salaries under the Civil List should be subjected to reduction in the same manner as other salaries above 700 dollars per annum were proposed to be reduced by the resolution of the Court of Policy of the 30th December 1847; and, as the Secretary for the Colonies had given his consent to reductions from the Civil List in Trinidad, the colonists of British Guiana could scarcely expect that a different course would be taken with respect to them; and, therefore admitting that there was a doubt as to the law, great allowance should have been made when the colonists so anxiously desired to reduce their expenditure.

"There is no doubt that in the year 1844, when it was agreed by the Court of Policy and Combined Court to renew the Civil List of 39,072 *l.* for 10 years, that it was done in good faith, the Courts confidently expecting that the prosperity of the colony would continue, and enable them to fulfil their engagement.

"The colonists, however, allege that when they agreed to the Civil List renewal in 1844, they were assured that they should be relieved from various restrictions imposed on the colony by the mother country; that they should never be called on to compete in British markets with the producers of slave-grown sugar; that every assistance should be afforded them in the way of immigration; and that they should be placed in such a position as to enable them to work out the problem of the superiority of the labour of free men to that of slaves.

P. 67.

"On the strength of all these promises the colonists in 1844 were induced to vote a Civil List and other establishments on a larger scale than the circumstances of the colony can now afford; and, the most important part of the contract having been broken by the Imperial Parliament passing an Act in 1846, admitting slave-grown sugar to the British market; the colonists assert that the Civil List Ordinance cannot be considered as binding on the colony.

"Your Committee desire to call the attention of Your Honourable House to the last despatch from British Guiana, by which it appears that, on the 2d of April 1849, a kind of truce had been made between Governor Barkly and the Combined Court, by which the vote of the Combined Court of the 20th of July 1848, when Governor Walker presided, reducing the Civil List from 39,000 *l.* to 26,000 *l.*, was allowed to stand, subject to the decision of Parliament as to whether the Combined Court, or Her Majesty's Secretary for the Colonies, had been correct in the course they had taken; and as it was further fixed that the Combined Court was to meet on the 11th April, to proceed in the usual manner to consider the Estimates, and they might have proceeded amicably as in former years, if a new and serious ground of complaint had not been unfortunately raised by Her Majesty's Government. It will be seen by Her Majesty's Commission to Henry Barkly esq., to be Governor of British Guiano, dated 9th January 1849, and promalgated in the colony in February last, that Her Majesty claims, in that Commission, power of Her undoubted right to make, enact, and establish all such laws from time to time, by and with the advice of the Privy Council, as may appear necessary for the order, peace, and good government of the said colony.

Appendix, No. 11, p. 277.

"Your Committee consider it right to give, as follows, a copy of the protest of the five Elective Members of the Court of Policy against such assumed right:

"'We the undersigned members of the Court of Policy, with every sentiment of loyalty and attachment to Her Majesty's Person and Crown, are nevertheless called upon, as members of this Court, and in support of its rights and those of the inhabitants of British Guiana, to perform the painful duty of entering our solemn protest against certain powers asserted to be possessed by Her Majesty, acting under the advice of Her Privy Council, as set forth in Her Royal Commission, appointing Henry Barkly, Esq., Governor of British Guiana. We allude to the following passage of the Royal Commission, viz.:—*Provided, nevertheless, and we do hereby reserve to ourself, to our heirs and successors, our and their undoubted right and authority to disallow any such laws; and to make, enact, and establish from time to time, with the advice and consent of Parliament, or with the advice of our and their Privy Council, all such laws as may to us or them appear necessary for the order, peace, and good government of the said colony.*'

"'We admit the right of Her Majesty to disallow any Act passed by the Court of Policy; we also admit the right of the Imperial Parliament to enact laws for the colony of British Guiana, as well as for every other part of Her Majesty's dominions; but with all due respect to Her Majesty's person and prerogative, we deny Her Majesty's right to enact laws for the colony of British Guiana 'with the advice of Her Privy Council.' *The Imperial Parliament* and the Court of Policy being the only authorities who can legally enact laws 'for the order, peace, and good government' of the colony. *The Powers thus asserted in the Royal Commission are illegal, unconstitutional, and in violation of the rights guaranteed to us under the Capitulation, dated the 19th September 1803, and confirmed by Her Majesty's Royal Predecessor.* For these and other reasons we deny the validity of Orders in Council, and protest against being governed by them.

(signed) *Jas. Stuart, Jno. Jones, Peter Rose, Thos. Porter*, jun., *J. Gordon.*

Court of Policy, British Guiana, 14th February 1849.

The dispute, therefore, is now left dependent on the decision of Your Honourable House.

Question

Question put, " That the words proposed to be left out stand part of the question."

The Committee divided :

Ayes, 10.	Noes, 4.
Sir James Hogg.	Mr. Hume.
Mr. Wilson.	Mr. Disraeli.
Mr. Gladstone.	Sir Joshua Walmsley.
Mr. Hawes.	Mr. Adderley.
Mr. Stuart Wortley.	
Mr. M'Cullagh.	
Sir Robert Peel.	
Mr. Charles Villiers.	
Lord Hotham.	
Major Blackall.	

So it was resolved in the affirmative.

Main question put, and agreed to.

In the paragraph commencing, " The supplies for 1843 were, however," &c.,

An amendment was proposed to leave out all the words from " 1854," at the conclusion of the paragraph.

The question was put, " That the words proposed to be left out stand part of the paragraph."—(The *Chairman.*)

The Committee divided :

Ayes, 2.	Noes, 8.
Mr. Wilson.	Mr. Hume.
Mr. Hawes.	Sir James Hogg.
	Mr. Disraeli.
	Sir Joshua Walmsley.
	Mr. Gladstone.
	Sir Robert Peel.
	Mr. Charles Villiers.
	Mr. Adderley.

So it passed in the negative.

[Adjourned till To-morrow.

Mercurii, 16° *die Maii* 1849.

PRESENT :

Mr. Baillie.	Mr. Stuart Wortley.
Mr. Hume.	Mr. Gladstone.
Sir Joshua Walmsley.	Sir James Hogg.
Mr. Wilson.	Mr. Adderley.
Sir R. Peel.	Mr. Charles Villiers.
Mr. Hawes.	Mr. M'Cullagh.
Lord Hotham.	Mr. Disraeli.

Committee deliberated.

The introduction to Sir Robert Peel's Draft Report, as proposed by Mr. Hawes, was agreed to as amended, and ordered to form part of First Report.

The first paragraph of Sir Robert Peel's Draft Report was read a second time.

An amendment was proposed, after the word arrangement to insert the following words: " Yet it appears to Your Committee that the change of the Sugar Law in 1846, by which slave-grown produce was admitted into the markets of the United Kingdom, and the great depression in the agriculture of Guiana consequent upon that change, afford political considerations which should have induced Her Majesty's Government to have encouraged, by their example, a reduction in the heavy expenditure of the colony of British Guiana, and to have adopted a tone of sympathy and conciliation to Her Majesty's subjects in a distant settlement, reduced from a state of comparative affluence to one of severe embarrassment and suffering."—(Lord *Hotham.*)

Question put, that these words be here inserted.

The Committee divided:

Ayes, 5.	Noes, 7.
Mr. Hume.	Sir James Hogg.
Mr. Disraeli.	Sir Joshua Walmsley.
Mr. Gladstone.	Mr. Wilson.
Mr. Adderley.	Mr. Hawes.
Lord Hotham.	Mr. M'Cullagh.
	Sir Robert Peel.
	Mr. Charles Villiers.

So it passed in the negative.

Motion made and question proposed, to leave out all from the word "recommend" in the eighth line to the end of the paragraph, for the purpose of inserting, "That the salaries and emoluments of the offices included in the Civil List arrangement should be taken into consideration by the Crown in friendly concert with the Colonial Authorities, with a view to ascertain whether they might not be reduced without injury to the public service," instead thereof.—(Mr. *Adderley*.)

Question put, "That the words proposed to be left out stand part of the paragraph."

The Committee divided:

Ayes, 8.	Noes, 4.
Sir James Hogg.	Mr. Hume.
Mr. Wilson.	Mr. Disraeli.
Sir Joshua Walmsley.	Mr. Adderley.
Mr. Gladstone.	Lord Hotham.
Mr. Hawes.	
Mr. M'Cullagh.	
Sir Robert Peel.	
Mr. Charles Villiers.	

So it was resolved in the affirmative.

Some verbal amendments were made to the paragraph.

Question proposed, "That the paragraph, as amended, stand part of the Report."

An amendment was proposed to be made to the question, by leaving out all the words from the first word, "That," for the purpose of inserting the following paragraph.—(Mr. *Disraeli*.)

"1. Upon a review of the several circumstances above adverted to, Your Committee is of opinion, that although the Crown is entitled to insist upon an adherence to the Civil List arrangement of 1844, yet the change of the Sugar Law in 1846, by which slave-grown produce was admitted into the markets of the United Kingdom, and the great depression in the agriculture of Guiana consequent upon that change, afford political considerations which should have induced Her Majesty's Government not to have stood too strictly upon the legal rights of the Crown, but rather to have encouraged, by their example, a reduction in the heavy expenditure of the Colony of British Guiana, and to have adopted a tone of sympathy and conciliation to Her Majesty's subjects in a distant settlement, and in a state of severe embarrassment and suffering."

Question put, "That the words proposed to be left out, stand part of the question."

The Committee divided:

Ayes, 8.	Noes, 4.
Sir James Hogg.	Mr. Hume.
Mr. Wilson.	Mr. Disraeli.
Sir Joshua Walmsley.	Mr. Adderley.
Mr. Gladstone.	Lord Hotham.
Mr. Hawes.	
Mr. M'Cullagh.	
Sir Robert Peel.	
Mr. Charles Villiers.	

So it was resolved in the affirmative.

Main question put, and agreed to.

The rest of the Report was agreed to, as amended.

Mr. Hume's proposed Resolutions were read a first time, as followeth:—

"Your Committee offer the following as the result of their deliberations:

See opinion of Law Officers, Oct. 1840, p. 12, No. 17.

"1. That Her Majesty in Council cannot legally and constitutionally raise a revenue in British Guiana, or determine its application.

"2. That the exclusive power of the Combined Court to raise a revenue by internal taxation has been uniformly admitted and acted upon.

"3. That

" 3. That the Combined Court, according to law and usage, has the power to discuss item by item the annual estimates of the colony, and to increase or reject any part of them that they may think proper.

" 4. That no payments can legally be made from the Colonial Treasury, except by a vote of the Combined Court.

" 5. That if the Combined Court refuse to act, there is no mode in which a tax can lawfully be imposed in British Guiana, without the intervention of the Imperial Parliament.

" 6. That there are certain taxes payable by old usage to the Queen's Chest, over which neither the Court of Policy nor the Combined Court have any control; but there is no provision, in the constitution of the colony, for adding to those taxes or substituting others for them in case they should be extinguished, or become unproductive.

" 7. That the power of Legislation generally is vested in the Court of Policy, the Combined Court, and the Governor.

" 8. That, as it appears by statements made in the Combined Court on the 3d of April 1849, by one of the Members of that Court, 'that he knew that money had been applied to the payment of the Civil List which belonged exclusively to the Loan Ordinance, and that the Loan Tax was illegally applied at that moment,' it becomes the duty of Parliament to direct the requisite inquiry concerning these and any other illegal appropriations of the Colonial Funds since the 30th September 1838.

" 9. That Earl Grey was not justified in directing monies in the Colonial Treasury to be appropriated to the Civil List, or to any other purpose not authorized by a vote of the Combined Court, as he did by his despatches of the 17th of June and the 14th of November 1848, to Governor Walker.

" 10. That as it appears by the opinion of the Law Officers of the Crown, as reported to Lord John Russell on the 21st of October 1840, that 'By capitulation of the 19th of September 1803, the laws and usages of the colony should remain in force and be respected, and that the capitulation is binding in good faith upon the Crown; that the mode of taxation then in use should be adhered to, and that no new establishment should be introduced without the consent of the Court of Policy as the Legislature of the Colony;' Your Committee are of opinion that the powers reserved and claimed in Her Majesty's Commission, 'to make, enact, and establish laws from time to time, with the advice of the Privy Council, for the peace, order, and good government of the colony,' without the consent of the Court of Policy of the colony, cannot be legally exercised, and ought therefore to be immediately rescinded.' *See* Appendix, No. 1, p. 220.

" 11. That the peculiar circumstances in which the colonists of British Guiana were placed in 1847 by occurrences over which they had no control, but by which they were reduced to poverty and distress, entitled them to more consideration from the British Government than their petitions and wishes have met with; and that the arbitrary and harsh conduct towards them, if not altogether illegal, was not calculated to lessen the discontent and irritation that existed in the colony.

" 12. That although collisions may often arise in the colonies out of the existing forms of their governments, Your Committee are of opinion that the causes of much of the discontent that occurs in our colonial possessions are to be found in a want of judgment and discretion in the Governor; and it appears, in such cases, to be the special duty of the Colonial Minister to remove such causes of discontent as soon as possible, in order to secure that harmony between the Governor and the governed, which is so essential to the welfare of any community.

" 13. That Governor Light has, by his own admission, spent the 10 years of his government more or less in a state of opposition to the Elective Members of the Court of Policy; and it cannot be matter of surprise to find that such continuous dissensions have ended in the present distracted state of the colony." Q. 300.

Question put, " That the Resolutions be read a second time."

It passed in the negative.

The Chairman to ask leave of The House to report from time to time.

The First Report agreed to.

To Report.

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MINUTES OF EVIDENCE.

Martis, 13° die Martii, 1849.

MEMBERS PRESENT.

Mr. Adderley.	Mr. Hume.
Major Blackall.	Mr. M'Cullagh.
Mr. Disraeli.	Sir Robert Peel.
Mr. Gladstone.	Mr. Charles Villiers.
Mr. Hawes.	Sir Joshua Walmsley.
Sir James Hogg.	Mr. Wilson.
Lord Hotham.	Mr. Stuart Wortley.

HENRY JAMES BAILLIE, Esq., IN THE CHAIR.

Sir *Henry Light*, K.C.B., called in; and Examined.

Sir *H. Light*, K.C.B.

13 March 1849.

1. *Chairman.*] YOU have lately returned from the Government of British Guiana?—I arrived on the 21st of June last.

2. I believe you went there in the year 1838?—On the 26th of June 1838 I landed, and took my office on the 27th.

3. Then you were there about 10 years?—On the 20th May 1848 I left it; 10 years was the commission; about 36 days less than 10 years.

4. Did you find the colony in a state of great prosperity when you went there in 1838?—Not particularly; they were very angry at losing two years of the apprenticeship.

5. But the planters were flourishing; they had credit from the capitalists of this country?—They could get credit; too much credit; it was their ruin. Men bought estates, and paid nothing for them; at least, except a few thousand pounds. Men who had 50,000 *l.* would lay out money for estates worth 150,000 *l.*

6. The planters could raise money with ease upon their estates?—They could raise money with ease; that is, provided they were not too much in debt to the West Indian merchant. But I will tell you how they could raise money: a man purchased an estate, and gave 4,000 *l.* or 5,000 *l.*, and the rest he was to pay in four, or five, or six years. In that way he bought an estate nominally to pay 30,000 *l.*, and only gave 3,000 *l.* or 4,000 *l.* for it, or 5,000 *l.* or 6,000 *l.* for it.

7. They could sell their estates for larger sums if they wished to do so, at that period, could they not?—I gave a list of estates in 1839, which can be obtained by the Blue Book, which estates fetched the highest prices; but they were sold to individuals in the colonies, who paid no money for them; at least, a great many of them.

8. Will you have the kindness to inform the Committee what was the general condition of the colony when you first arrived there?—Discontent at losing the apprenticeship, ease of obtaining money for taxation for the general revenues of the colony; that is perfectly easy now; there has never been a difficulty except in that class who have been peculiarly affected by emancipation, the proprietors.

9. By the condition of the colony I mean the behaviour of the negroes, and the general revenue and expenditure of the colony?—The labourers for a long time

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would not work till I went round the colony and induced them to work; very few of them would work, but afterwards, as I have said in my despatches, they went from one place to another; those who had been taken to particular spots during slavery went back to their old location as slaves. They were able to get high wages, but the wages were not so high at the beginning, after emancipation, in 1838, as in succeeding years, when the proprietors began to compete with each other.

10. I find that your despatches of the years 1839, 1840, and 1841 dwell forcibly upon the prosperous condition of the colony and the good behaviour and industry of the newly enfranchised negroes?—Perfectly so; the colony was prosperous, because I should say where a colony could pay its taxation without suffering, where the people were disposed to be industrious for a certain number of days in the week, and where in cases in which they were masters they were quiet, obedient to the laws, and purchasing estates, and where the proprietors themselves had not difficulty in purchasing estates, or getting money to carry on their estates, that that was a proof of prosperity. As to the labourers, they were prosperous from the beginning.

11. In a despatch dated the 12th of December 1839, you state that you are aware of the contradictory reports which exist in the colony, and of the exaggerated accounts of parties who wish to support their credits by boasting of the success of their estates; do you remember that?—I dare say I did say so.

12. It is fair to conclude, therefore, that your subsequent statements were made with care and discretion?—I should hope so, with that discretion which a Governor ought to use.

13. In a despatch to Lord John Russell, dated the 1st of October 1841, you praised highly the intelligent industry of Mr. Carbery, of plantation Thomas; you said that the estate was "to him of easy management," and after detailing the steps which he was adopting for the improvement of his estates, you added, "such proofs of the advancement of the general prosperity of the province need no comment." Do you remember that despatch, or shall I turn to it?—I perfectly remember saying that Mr. Carbery managed his estate well; but he managed it with borrowed money and became an insolvent.

14. I was just going to ask you, did not he afterwards become an insolvent?—He became an insolvent to a large amount.

15. In a despatch dated November 23d, 1841, to Lord Stanley, did you not cite Sir Michael M'Turk as "one of the most experienced planters in the colony"?—I did.

16. And add, "that he had no cause in his own person to dread reverse in the future, his estates working well and profitably"?—And he became on his death insolvent.

17. Mr. *Adderley*.] When was his death?—About two years before I left the colony.

18. *Chairman*.] I think you cited the purchase by him of plantations Montrose and Ogle for 38,500*l*., as a proof that there was no reason to place entire confidence in the opinions of those colonists who predicted, that under existing circumstances, the colony could not possibly thrive?—Perfectly. I perfectly recollect that he had been one of the arbitrators in the time of slavery, setting down that price as the value of those estates with slaves on, to the best of my impression, and he bought those estates in the year that I mentioned, and that was to me a proof that it was not everybody who thought the same as those who were disposed to think that the colony was going to ruin. Where large sums were given for estates the Governor could only imagine that there were people considering that the colony was in a prosperous condition, and upon that I founded my ideas.

19. Mr. *Hume*.] Did you form that opinion from one case alone, or from the general state of the colony at the time?—In 1839 there were 10, 12, or 14 estates named by me to the Secretary of State of the highest prices.

20. *Chairman*.] Did you not in the same despatch cite as a proof of colonial prosperity the sale of plantations Rome and Houston to Mr. Jones for 40,000*l*.?—In 1839. I may have done it in 1841 again. Mr. Jones had offered 150,000*l*. for that estate when he was a manager and attorney; he afterwards bought it for 40,000*l*. When it was said by the attorney of the absent proprietor that the estate was going to ruin, and had not made 30 hogsheads in six months,

I thought

I thought it a great proof of some parties considering that the colony was not in a ruined state when they could give 40,000*l.* for that estate, which had only made 30 hogsheads in six months, and which the attorney of the absent proprietor said was ruined, and he going to pull down the house.

21. Are you aware of Mr. Jones's present position, and have you seen his late memorial to Lord Grey?—Perfectly.

22. His memorial states that he is utterly ruined, I think?—Perfectly. I saw the memorial. I believe there are more reasons for his insolvency than meet the eye. He has a son who has bought several estates; whether his son is connected with him in that respect I do not know, but his son is in an equally bad state and purchased estates without having the means to pay for them.

(*The Memorial was read.*)

Witness.] I could give you dozens of such cases. I can perfectly say that Mr. Jones was a very respectable attorney and manager; he bought a small estate, and afterwards bought that estate of Rome and Houston, and whether he paid for it or not I do not know; but if a man does not pay for an estate, or if he does pay for an estate and lays out a great deal of money, and finds that the sources from which he used to get money fail, he must go to the dogs.

23. Mr. *Hume.*] Do you know of your own knowledge that Mr. Jones never paid for his estate?—No, I do not mean to say so; but he begins with saying that he started with 10,000*l.*

24. *Chairman.*] He says in his memorial that his estate was free of debt, and that he had 10,000*l.*?—That I did not recollect; he may not have been able to get money to carry on the work of the estates. I have always held up Mr. Jones as being one of the most successful, and one of the best and most respectable planters in the colony, and have always been very anxious about his success.

25. Sir *J. Hogg.*] When did he cease to be an attorney and become a proprietor?—He became a proprietor not immediately; I think it was two, or three, or four years after he had lost the attorneyship that he made an offer to the proprietor.

26. In what year?—I think it was in 1838.

27. *Chairman.*] I believe that in none of the despatches which you wrote in the years 1840 and 1841 did you condemn these purchases as extravagant speculations?—No.

28. You rather approved of them as judicious investments made by spirited and intelligent men?—I dare say they appeared to me so at the time, but a man is not able to find out what the private means of men are, nor does he find it out at all for some time, nor for several years does he find out that people purchase estates without money, as many did.

29. In a despatch to Lord John Russell, dated the 16th November 1840, in order to discredit certain desponding statements made by Captain Warren and Mr. Laing before a Committee of the House of Commons, you cited the following list of estates in British Guiana sold since emancipation: plantation Montrose, for 38,000*l.*; plantation Vriedenhoop, for 35,000*l.*; plantation Richmond, for 35,000*l.*; plantation Malgré Font, for 36,000*l.*; plantation Vrow Anna, for 32,000*l.*; plantation Windsor Forest, for 42,000*l.*; plantation Rome and Houston, for 40,000*l.*; plantation Kitty, for 26,000*l.*; plantation Thomas, for 20,000*l.*; and 13 others, for equally large sums; do you recollect that statement?—Perfectly.

30. You stated that these estates had been purchased, not by strangers, but by men long resident and still present in the colony, and that there was hardly an instance in which these estates were not well worth the money paid for them; you stated that in your despatch?—I did; and so they were at the time.

31. Can you inform the Committee if any, and if any, how many of these resident planters who made these purchases are still solvent?—If you will give me the list, I will tell you how many. I should like to see the list. (*A copy of the Despatch was handed to the Witness.*) Plantation Thomas, I think, belonged to Mr. Carbery; it is gone; it is in the hands of the Cavans.

32. Did Mr. Carbery become insolvent?—He did.

33. Mr. *Hawes.*] In what year was that?—That is in 1839; despatch 1839. Friendship was a large cotton estate; it was then sold to the labourers; it was bought by the Austins, and then bought by some other party, and then sold to the labourers. With respect to plantation Montrose, Captain Warren was, I believe,

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a bidder by agent, and Sir Michael M'Turk got it for 38,000 *l.*; 1,000 *l.* more than Captain Warren bid for it, and that has failed.

34. *Chairman.*] He became insolvent?—He became insolvent; at least he left his affairs insolvent.

35. Just look over the list and see if there are any that did not become insolvent?—I do not remember Success. With respect to plantation Kitty, the owners of that estate are not insolvent. As to plantations Wales and Vriedestein, I do not think they are in a good way; they were Mr. Gladstone's, and belong now to Mr. Stuart. Vriedenhoop is in a bad way, belonging to the Smiths; plantation Windsor Forest has gone to the dogs; Deu Amstal is sold to the labourers; the Lodge is sold to a Dutchman, who has made a great deal of money by it, by letting it out into a new town. As to Rome and Houston, you have the state of the case. Malgré Tout and Union, 36,000 *l.*, have been two or three times sold.

36. I merely wish to know whether the purchasers of those estates became insolvent; I do not wish a history of the estates since?—In the case of Malgré Tout, one of the purchasers became insolvent, but it fell into other hands since; the party is not insolvent at this moment, but it was sold for a very small sum, and, I believe, bought by a man who is perfectly solvent. With respect to plantation Richmond, I do not know that the owner of it has gone through the Insolvent Court. Plantation Vrow Anna has been given up to the merchants; the purchaser has not gone through the Insolvent Court, but he could not carry it on. Belle Plaine I know nothing about; with respect to Bathsheba's Lust, I am afraid the owner is insolvent. In the case of Aberdeen I am afraid the owner is insolvent within the last 12 months. Sparta is still owned by the person who bought it; at least it was when I left the colony; a man of the name of Bunbury. Allness I know nothing about; that and the two following are in Berbice; I know nothing about them. I do not think any of them have become determinable insolvent; they are very badly off.

37. Are you aware of the present position of Mr. James Laing of Berbice, whom you censured in that despatch for having, after he had expressed grave doubts before a Committee of the House of Commons as to the future prosperity of British Guiana, purchased his partner's estate?—I am perfectly aware that he has not succeeded, and he left the country; he kept a large store; he was a very active man and had two or three estates; now if a man has two or three estates, and a sudden crisis comes on, and he wants money for two or three estates, he is very likely to fail, and wanting it for a store also.

38. Have you seen his late memorial to Lord Grey?—No.

39. Did not the planters experience grave losses in consequence of the capricious and unsteady labour of the newly enfranchised negroes?—At first, and then they outbid each other, and taught them to go to the best market.

40. Did you not in a despatch to Lord Stanley, dated 7th December 1841, (Guiana Papers, No. 2, page 153), censure them for unwisely attempting to reduce the high wages which they paid?—I did.

41. Dwelling much on the admirable conduct of the native peasantry and on their progress in education?—I did.

42. Is there any necessity that I should turn to the despatch?—Not at all.

43. Did you not in a despatch to Lord Glenelg, dated 31st October 1838, state that you had warned the labours against entering into contracts, and recommended the planters strongly not to think of attempting to bind their labourers by any contracts till their new position should be thoroughly understood?—I did, because I thought it right. The Order in Council forbade it, 7th Sept. 1838.

44. Did you not also state that the resolutions of the Court of Policy, transmitted with your despatch, proved that the planters had no desire to act unfairly by the negroes?—In what year?

45. I will give you the despatch.—I should think that everything ought to be taken for granted which I have written.

46. It is at the passage marked; will you read the passage?—"In my visit to the different districts of the colony I warned the negroes against entering into contracts, and recommended the planters strongly not to think of attempting to bind their labourers by any contract, till their new position should be thoroughly understood. The Resolutions of the Court of Policy, transmitted with my despatch, prove there is no desire to establish any restriction beyond that of monthly hiring." And it was my desire that there should be a monthly hiring, but

but no contract; and the Order in Council of September the 7th seemed to give that power.

47. Did not the planters, finding that they could not obtain sufficient or regular or faithful work from the creole negroes, look to immigration to relieve them from their difficulties?—Certainly, and I have always supported immigration.

48. I believe that at that period, 1840 and 1841, immigration from the coast of Africa was positively prohibited, and from all other parts of the world, even of skilled labour from England, virtually prohibited; was it not so?—I think there was no immigration from Africa at that time; now and then we got cargoes of captured slaves, I think, in those years, but I am not able to speak positively; whatever is in my despatch I stand to.

49. There is a circular from Lord Glenelg; will you be kind enough to read that circular?—"In obedience to Her Majesty's commands, I herewith transmit to you an Order made by Her Majesty in Council, the effect of which is to render invalid any contract for service to be performed within the colony under your Government, in agriculture or in manufactures, unless the contract be made within the limits of the colony itself. The Order further provides, that all contracts of that nature which may hereafter be made within the colony shall be liable to be regulated by such laws as may hereafter be made on the subject. You will take immediate measures for giving publicity to this Order in Council in the usual and the most authentic manner." It is perfectly right.

50. Would not that effectually prevent immigration into the colony?—No; people came; Portuguese came; people from the islands came.

51. Did not you state at that period that immigration would not only enormously benefit the colony, but also the immigrants, who you stated would enjoy advantages unknown to the agriculturists of any other part of the world?—I did; I have said from the beginning, in the very first despatches, within six weeks after my landing in British Guiana, that British Guiana would furnish sugar enough for all Europe.

52. When you were appointed to Guiana your salary was 3,500 *l.* a year, the same that had been paid to your predecessor, Sir James Carmichael Smith, was it not?—Yes; but in 1839 they proposed putting on 1,000 *l.* more.

53. You conceived that the exceeding prosperity of the colony justified you in applying to Lord John Russell with a view of having your own salary increased to 6,000 *l.* a year, together with an augmentation in a lesser ratio of the pay of the other civil servants of the colony. In short, you proposed to increase the civil list of the colony from 19,980 *l.* to 36,750 *l.* a year?—You must excuse me; I did not propose to increase it to 36,000 *l.*, I think. Then it was afterwards brought up to 39,000 *l.*, by putting the clergy on the civil list. When I proposed that increase for the Governor, it was in consequence of everybody saying it ought to be, and in consequence of my not believing or thinking, according to report, that I was to stay there on an uncertain tenure; I did not consider myself at all; I considered the government.

54. This is "a despatch from Governor Light to the Marquis of Normanby:" "I respectfully submit the propriety of providing more liberally for the public officers, and placing other functionaries permanently on the Civil List." "I shall have the honour of annexing to this despatch a private and *ex-parte* despatch, detailing the expenses of this colony in comparison with the Leeward Islands, taking Antigua as a criterion of all. My scale of civil list, which I now propose for your Lordship's approval, is based on the relative prices of this colony. In making a large increase to the salary of the Governor, I place him on the same footing with the Governor of the Leeward Islands. I advocate the office, not my own personal interests alone, its tenure being dependent on life, health, and the approbation of Her Majesty's Government. On the same principle I add to the salaries of other officers in the following list." Then you give a list, the existing civil list at that time being 19,980*l.*, and you making it 36,750*l.*?—The Chief Justice I advocated to have 3,000*l.*, because the Court of Policy and the Combined Court had themselves voted 2,500*l.* for the Chief Justice, 2,000*l.* for the first Puisne Judge, and 1,500*l.* for the second; the Chief Justice before the present Chief Justice, now absent on leave and sick, had 3,000*l.* a year, and I considered that the judges in the colonies ought to be better paid than they were. You gave a small salary to a judge, and no man in good practice would take the place of judge, and upon that principle I acted for them. With regard

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to the Governor, I was for four years without ever having a shilling at the end of my quarter, therefore I had a right to think that the Governor, whether myself or any other, should be better paid, and so he ought to be. The secretary to the Chief Justice had 600*l.* by the old civil list. The high sheriff had the same amount as I have put down; the sheriff of Berbice I wished to make equal to the high sheriff, because he had more to do as a sort of Lieutenant-governor, for he carried into execution all the orders of the Governor and the government. With respect to the sheriff of Essequibo there was a memorial got up to give him that 1,000*l.* a year which I put down. And with regard to my own salary as Governor, they had already proposed 1,000*l.* more, and house-rent and table-money. It ended by their leaving the table-money and house-rent, and that was struck off by the Governor at the time, because they were reducing the salaries of inferior officers. The Attorney-general had 1,100*l.*, part from the civil list and part from the contingencies of the civil list; they offered to give 1,500*l.*, and to the Solicitor-general they offered to give 500*l.* The government secretary they offered to give 2,000*l.* to, and wished to do it, but they asked terms that I could not grant and would not, contrary to my instructions. The 10 stipendiary magistrates were their own proposal, at 800*l.* a year. When Sir Henry Macleod came there it was altered to 700*l.*, and Her Majesty's Government paid and agreed to pay, so long as the stipendiary magistrates were kept, 10 at 450*l.*, while the colonial government paid 250*l.* to each. And when the civil list was arranged, and a proposed civil list was submitted to me in contradiction to this, everything was kept on, except the salary of the Governor, in return for a loan, which I refused, and for immigration from every part of the world, which I could no more grant than Her Majesty's Government, and it was on that account that Sir Henry Macleod was sent to settle the civil list which is now in existence.

55. Mr. *Hawes.*] The year 1839 you are speaking of now?—At the end of 1840.

56. *Chairman.*] I understand you that it was the prosperous condition of the colony which you thought justified you in asking for this increased expenditure?—I do not think I thought about the prosperity of the colony at all; I thought of proper justice to the public officers.

57. Whether the colony could afford it or not?—The colony could afford it.

58. Then it was the prosperous condition of the colony?—I will not say particularly; I say the taxation of the country was spread over such a mass, and so little felt, that it could be afforded.

59. Did not the Combined Court vehemently object to this increase, and did not Mr. Arrindell, then an elective member of the Court of Policy, and now attorney-general, or rather chief justice, I may say, stigmatize it as "excessive and onerous"?—I know that they made a great objection to it, but they would have granted anything if I had chosen to have yielded the Loan and the Immigration Ordinance; they would have granted twice as much.

60. Here are the proceedings of the court; this is Mr. Arrindell's amendment: "And whereas, considering the foregoing premises, this court (the Combined Court) cannot but view the sum demanded from the colony for a civil list, to commence on the 1st January 1840, as excessive and severely onerous"?—The 1st of January 1841, I should say.

61. One thousand eight hundred and forty it is here?—It did not begin till the 1st of January 1841, I think. You will find there the civil list proposed by Mr. Rose. You see here they offer a much larger civil list than I had proposed, for 21 years.

62. A despatch which you received on the 10th of February 1840, from Lord John Russell, authorized you to demand the increase of the civil list which you had proposed, or as much as you could persuade the colonists to grant you; do you remember that?—I think that is rather Sir Henry Macleod.

63. In "a despatch from Lord John Russell to Governor Light," he says, "But as I should be unwilling to insist upon any large increase of salaries where the necessity for it is not acknowledged by the Court of Policy, and the service has been conducted for some years without it, I have to instruct you (unless in cases where you shall think it highly inexpedient to do so) to admit some reduction of salaries from the proposed amount, always provided that none are reduced below the existing rate. With respect to your own salary, however, as it would

not

not be proper that you should negotiate with the Court of Policy respecting it, you will consider the item of 6,000 *l.* as fixed, and not open to dissension"?—I perfectly remember that despatch.

64. I believe it was upon this occasion that Sir Henry Macleod was ordered to proceed to Guiana and to endeavour to negotiate an arrangement between you and the colonists?—It was on this occasion.

65. The colonists having considered your demand exorbitant, and declined to vote the supplies?—Not at all; they did not stop the supplies for that; they stopped the supplies because I would not disobey my instructions, and nothing more.

66. Sir *R. Peel.*] The increased estimate of 39,000 *l.* includes a payment to the clergy, which was not included in the previous 18,000 *l.*?—Yes.

67. What was the amount of the payment to the clergy?—£. 9,475 odd, altogether.

68. The absolute increase proposed was from 18,000 *l.* to 30,000 *l.*?—Yes; but in that was 7,000 *l.* for stipendiary magistrates, of which 4,500 *l.* was paid by the Government.

69. Was that increase approved by the Secretary of State, and voted by the authorities in Guiana?—It was voted during the negotiation with Sir Henry Macleod.

70. It was approved of; that was the civil list as finally approved, with the increase which you proposed?—Yes.

71. And it is the subject of the controversy here, is it?—Yes.

72. In what year was it approved of?—I think as soon as it got home, in the beginning of 1841.

73. *Chairman.*] This was the list proposed by the Governor?—Yes.

74. The Governor proposed to increase this list from 19,980 *l.* to 36,750 *l.*, independently of any payment to the clergy?—Yes; have you not stipendiary magistrates there?

75. Yes.—How much is that?

76. Ten stipendiary magistrates, 8,000 *l.*, being 800 *l.* a year each, that is the increase?—It was what the leaders proposed to me to give 10 stipendiary magistrates.

77. Sir *R. Peel.*] What was the payment to the stipendiary magistrates when 18,000 *l.* was the payment out of the civil list?—None at all; latterly they give them 100 *l.* a year.

78. The 8,000 *l.* was included in the increased civil list and did not enter into the 18,000 *l.*?—No; the stipendiary magistrates were 15, all paid by Her Majesty's Government till the new civil list which began in 1841; the colonial members had proposed to put 10 stipendiary magistrates at 800 *l.* a year, and upon that I based my sum for them; there was 10,000 *l.* more, my increase; what the items are I hardly know at this moment, but it was all based upon my ideas of the wants of the public officers, and to secure good public officers.

79. *Chairman.*] Are we to understand that the stipendiary magistrates were not in the civil list at all previously?—Not at all; they were paid by this country, as they are at this moment, except 250 *l.* to 10 from the civil list; they gave in a civil list pretty nearly the same, and coupled it with provisoes which I could not allow, nor ought any person to have allowed them.

80. Mr. *S. Wortley.*] What salaries did the Home Government pay the stipendiary magistrates?—£.450.

81. *Chairman.*] Do you recollect that on the occasion of Sir Henry Macleod's coming to the colony he declared in a despatch to Lord John Russell, dated January 23d, 1841, that it was impossible to deny that immigration was absolutely essential to the prosperity of the landed interest in British Guiana?—I am perfectly aware that he said that which everybody else has said, and which I had said long before Sir Henry Macleod came to the colony; now if you ask me who prevented it I will say.

82. You may state if you like?—The immigration could have been arrived at much earlier if the colonial government had not chosen to quarrel with the Governor and the Government; they would have it at their own terms and in their own way, and therefore they could not get it.

83. Mr. *Hume.*] Explain what is meant by "their own way"?—It is this, that they wanted to have the sole management of it.

84. Was there any proposition put in by them as to the mode in which they wished to manage it?—I cannot recollect the Immigration Ordinance, but it was

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not confirmed, both Sir Henry Macleod's and mine, in 1839, and so it was afterwards. They would add terms which no Ministry could allow. My views were those of the Government whose servant I was. I sent home the Immigration Ordnance.

85. Did you, as Governor, receive from the colonists any written application as to the mode in which they wished immigration to be conducted?—No; but the ordinance was passed and approved of by me, and sent home. I do not know whether it was approved. I mean I sent it home, I believe, with a suspending clause.

86. That ordinance was drawn out and passed by you?—It was passed in the Court of Policy. I do not recollect whether I gave a suspending clause to it or not.

87. What was it that the colonists wanted, and the Governor would not allow?—I fancy that the great object was that they wanted to have the raising of the funds, and the management of the funds, and to leave the Governor a cipher on the subject of the introduction of immigrants.

88. I want to know, you being Governor at the time, what document was presented to you, which you did not think fit to agree to?—I did agree to it by sending it home.

89. But you say you are not aware whether there was a suspending clause or not to that document?—If I did agree to it, and thought it was right to have the opinion of the Government, I should send it home, with a suspending clause; and I might have agreed or not have agreed to it, and at the same time have sent it home with a suspending clause.

90. You now have stated that you fancied the colonists wished to have the management of the immigration themselves, or of the funds?—I believe so.

91. In what way?—It is so long ago that I cannot recollect; it is better to refer to it.

92. Sir *J. Hogg.*] That ordinance must be forthcoming, and that ordinance embodies the views of the Court of Policy?—Yes.

93. *Chairman.*] It appears to me that both you and the Court of Policy were agreed as to this point?—As to the necessity for immigration we were both agreed, and my inclination was to promote it in every possible way, prudently and not extravagantly.

94. Mr. *Hume.*] Can you state the date of that ordinance?—It was a little after Lord Glenelg went out of office, and not long after the Marquis of Normanby took the office; it was disallowed by the Marquis of Normanby, the very first ordinance which I passed, and there were reasons given for it.

95. Mr. *Villiers.*] Was this before the negotiation with Sir Henry Macleod was concluded?—Yes.

96. *Chairman.*] I find a despatch from you to the Marquis of Normanby, dated 18 September 1839, in which you say, "Since closing my despatch, marked private, in which the objects of Mr. Young's mission are explained, I have had the honour to receive Her Majesty's disallowance of the Ordinance, No. 13, to encourage emigration. Immediate effect will of course be given to Her Majesty's commands, and the official announcement will appear in the Gazette of to-morrow night, which will be the earliest publication that could take place since the receipt, yesterday, of your Lordship's despatch. I cannot conceal from your Lordship the disappointment and excitement which this unexpected announcement will occasion. The Court of Policy sincerely desired to enact such an ordinance relative to immigration as would be unexceptionable; they would have applied themselves with cheerfulness to remedy any defects existing in that which has been disallowed, nor would the Combined Court, I think, have refused to draw the funds necessary for the encouragement of immigration from that portion of the community which your Lordship supposes would alone derive benefit from an influx of labourers. The two courts may still remove all your Lordship's objection to the details of the ordinance. I do not think they will relinquish their claim to seek and to introduce labourers unindentured from any part of the world in which free agents are to be found voluntarily inclined to emigrate to British Guiana." Now it appears from this that you were perfectly agreed as to the mode of action upon that point; I find no difference at all?—Yes.

97. It appears to me that you seconded all their efforts to obtain immigration?—Yes; I was under the impression that a difference had existed, but you cannot suppose

suppose that I can recollect so many years, not being at all aware of the examination upon these despatches. From the very first you will see that my despatches were all in favour of immigration and a certain number of immigrants, but not in the number that they wished to have them, and that was the sole discussion between the planters and myself in the early part of my governorship.

98. I find that in a despatch to Lord John Russell, dated July 30th, 1839, you wrote thus "Could any boon be offered by Her Majesty's Government to the colonists, I do not despair of fixing the salaries at the proposed rate of the civil list." Did you mean by that despatch that the colonists were to be bribed by the promise of increased facilities for immigration to agree to the proposed augmentation of the civil list?—I took their own words that they would grant anything if they had the full power of going all over the world to get immigrants; I can hardly suppose that you would fancy I should wish to bribe those that were under me for the sake of the civil list.

99. Does not Sir Henry Macleod in his despatch to Lord John Russell say, that immigration "was your Lordship's own promised boon to the colony as soon as they should have agreed to the civil list question"?—I dare say I can recollect it. There is no doubt that that is the despatch.

100. This is Sir Henry Macleod's despatch to Lord John Russell: "To the enactment of the Immigration Ordinance I gave every facility; it was your Lordship's own promised boon to the colony, so soon as they should have agreed to the civil list question. The alterations which have been made in your Lordship's draft are not many; they were adopted after considerable discussion, and are not such, I hope, as will prevent your Lordship from submitting it for Her Majesty's allowance"?—Yes.

101. Mr. *Hume.*] You have made use of the phrase "from all parts of the world;" I find that No. 3 of the terms annexed to the schedule is, "That under such rules and regulations for their due care, protection and comfort, as may be deemed reasonable, all restraints upon immigration of free labourers into this colony from all parts of the world unfettered by indentures be removed." Is that what you allude to that the colonists required?—Yes; I fancy that that is the ordinance that they attached to their civil list; I believe that is it; but there were other parts there that were objectionable.

102. But by this clause you did not understand them to require any immigration without due precaution and protection to the immigrants?—Not at all; but they wanted to attach to it a loan.

103. *Chairman.*] Is not it further stated in Lord John Russell's despatch to you, dated 15th February 1840, that you are "not to sanction any appropriation of colonial funds for immigration purposes, unless adequate provision shall have been previously made on a civil list for the various departments of the local civil service"?—I suppose so; it must be in the despatch.

104. Do you not also, in a subsequent despatch, dated 22d June 1840, to Lord John Russell, allude to certain steps which you purpose taking "so soon as by the settlement of the civil list you are empowered to cause an ordinance to be enacted sanctioning the application of public monies to the introduction of labourers"?—If you will show me the despatch; whatever I have written I stand to.

105. Here is the despatch: "I would also submit respectfully for your Lordship's consideration, that so soon as by the settlement of the civil list I may be empowered to cause an ordinance to be enacted sanctioning the application of public monies to the introduction of labourers, it would then be proper to enact that it shall be unlawful to load vessels with immigrants except on due observance of the provisions of the said ordinance"?—I dare say I wrote it. If it is there, you may depend upon it I wrote it, and believed what I wrote.

106. Do you conceive it just that the Home Government should have made a measure, admitted to be vital to the existence of the colony, contingent on an increase of the salaries of the public officers of the colony, which the colonists considered exorbitant?—I really think that that is not a fair question to ask me. I think that it is not fair to ask a governor to decide upon the justice or injustice of the proceedings of the Home Government.

107. The colonists then had evidently no hope of obtaining immigration, unless they acceded to whatever increase might be proposed by the Colonial Office in the salaries of the public servants of the colony?—No; I do not at all think so.

108. If you go back to Lord John Russell's despatch you will see it?—Yes;

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but it does not strike me that that affected the question at all; they were bound to give a civil list, or at that time we could have paid the civil list out of the funds that belonged to the Crown. There were about 12,000*l.* at that time of surplus duties, which went to the colony; there were some four, five, six, or seven thousand pounds of fees which were given up; acre-money was given up.

109. Mr. *Hawes.*] Just go on and state what were given up?—During slavery there was a capitation tax of one dollar; that went away by emancipation; they escaped that by emancipation.

110. *Chairman.*] I do not see that this is an answer to my question; my question was this: the colonies then had evidently no hope of obtaining immigration, unless they acceded to whatever increase might be proposed by the Colonial Office in the salaries of the public servants of the colony; do you deny that that is the case?—I deny it.

111. Now I refer you to Lord John Russell's despatch, which you admitted before, which orders you "not to sanction any appropriation of colonial funds for immigration purposes, unless adequate provision shall have been previously made on a civil list for the various departments of the local civil service"?—It was the duty of the Secretary of State to do so.

112. This is Lord John Russell's despatch to Governor Light: "Downing-street, 15 February 1840. Sir,—In my despatch, No. 56, of this date, I informed you that I would state in a separate despatch the modifications which I think necessary in an ordinance on the subject of immigration into British Guiana, to replace that which Lord Normanby advised Her Majesty to disallow. I now enclose for your information and guidance the draft of an ordinance containing those modifications, and embracing the measure which, after mature consideration, Her Majesty's Government are prepared to sanction. You will therefore propose this measure to the Court of Policy for their adoption. It must be left to your discretion to propose annually what amount of the public money shall be appropriated from the funds of the colony for the service of each year, to be applied to the purposes of immigration, in the manner pointed out in the accompanying draft, always, however, bearing in mind that you are not to be at liberty to sanction any such appropriation, unless adequate provision shall have been previously made on a civil list for the various departments of the local civil government." That is to say, that no immigration of any kind was to be allowed, unless the civil list was provided as laid down by Her Majesty's Government.

113. Mr. *Villiers.*] Will you state what, in your apprehension, were the intentions of the Government?—That adequate provision should be made for the public service in every possible way. How could such a Government as that go on without the public service being provided for?

114. Mr. *Hume.*] Did you send home to the Colonial Department a statement of the civil list which you considered adequate?—The first civil list was sent home in 1840 by me as a civil list for certain public officers; it was then brought before the Combined Court; this civil list having been approved, was brought before the Combined Court, and the Combined Court, by their organ, Mr. Rose, proposed a civil list very nearly like the one that I had proposed to the Secretary of State, but with conditions which I would not grant; and upon that they stopped the supplies.

115. Then did you, in recommending that civil list, having in view the words of Lord John Russell, consider that that recommendation by you was in consonance with Lord John Russell's instructions?—I gave that civil list which I thought was right, not thinking of anything but the public service. Lord John Russell approved of it; it came out; it was brought before the Combined Court; the Combined Court presented another schedule which I should have consented to, and have been very happy to have consented to; it was very nearly as my own, but it was on a condition that I would not grant, and that no governor could grant.

116. My question to you is simply this: did you, in granting that civil list, consider that it was adequate, and agreeable to the instructions which you had received from Lord John Russell?—That despatch was since what I sent home; it was written, if I mistake not, after my proposed civil list.

117. Was Lord John Russell's application of the word "adequate" applied to your estimate?—I suppose it was.

118. Mr. *Villiers.*] However, it was after that that the Court of Policy proposed a civil list which you approved of?—Which I would have approved of if they had not appended a condition which I could not grant.

119. If

119. If they had not subjected it to a condition which you could not allow?—Yes.

120. Mr. *S. Wortley.*] Does it appear in these papers?—I should think so, for everything went home relating to it.

121. *Chairman.*] What was the condition which you disapproved of?—In the one proposed by the Combined Court when they stopped the supplies, and caused Sir Henry Macleod to come out, it was that; they wanted a loan of 500,000 *l.*, and they wanted an immigration ordinance, giving them a right to go to any part of the world without agents, without any person to superintend them. That I would not allow.

122. Mr. *Hawes.*] The interest of the loan was to be charged upon the general fund?—Upon the general fund of the colony for 40 years.

123. Mr. *S. Wortley.*] Was that proposal embodied in any document sent home?—It was; you see it in the discussion of the civil list.

124. Mr. *D'Israeli.*] Was it the loan, or was it the immigration, which you could not allow?—Both.

125. Mr. *Hume.*] In what way does it appear?—In the correspondence with Sir Henry Macleod and myself at that time. You will see it; it probably is in the book.

126. Mr. *Villiers.*] Sir Henry Macleod was sent out to negotiate it?—He was sent out to get the Combined Court to settle the supplies, not the civil list or to pass an immigration ordinance. If I am not mistaken, you will find that; but he contrived to settle the civil list; he gave them the immigration ordinance; he gave them the loan, and both were not confirmed.

127. In what year was that?—1841.

128. Mr. *Gladstone.*] Had there been any civil list in British Guiana before that period?—Yes, in 1836.

129. There was a civil list at a former period in that colony?—Previously to the first civil list, in 1835 or 1836, there was a separate fund, King's Chest, of all the Crown fees and Crown rents, and the public service was carried on by a certain number being put upon the King's Chest; the King's funds, and the other part of the service, was by an annual vote by the Combined Court.

130. What was the nature of the arrangement made in the first civil list?—Exactly the same number of people were put on that are now on the civil list, excepting the clergy and the stipendiary magistrates.

131. Was it voted for a term of years?—It was voted for a term of years; five or six years.

132. Had that term of years expired when the conference took place?—It would have expired at the end of 1840.

133. Then the question raised by the Government was, first of all, for the renewal of that civil list; and, secondly, for an augmentation in the salaries?—That was my proposal, not that of the Government.

134. I mean the colonial Government?—Not at all the government; it was my doing. It was the duty of the Governor to make such a proposal, and it was the duty of the Secretary of State to consider whether that proposal was right. He struck out 6,000 *l.*, and put in 5,000 *l.* for the salary of the Governor; that was the only alteration made.

135. *Chairman.*] I perceive by a late despatch of yours, dated the 3d of June 1848, that the struggle which the colonists made in 1840-41, to resist those demands which they and the present attorney-general at the time declared were "excessive and severely onerous," cost the colony no less than 60,000 dollars in duties evaded by importers during the suspension of the supplies, whilst the question was under discussion?—I am within bounds when I say 60,000 dollars.

136. Therefore it may be assumed that the increase of the civil list in 1841 was based on the following data on your part: that the colony was prosperous; that its prosperity was increasing, and must inevitably increase. And on the part of the colonists, that immigration was vitally necessary for their existence, and that unless they agreed to the terms demanded from them it would be withheld from them; and that the disorder consequent upon the stoppage of the supplies was daily exhausting the public revenues; was that not the case?—Will you put that question again?

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137. I say it may be assumed from the despatches that the civil list in 1841 was based on the following data on your part: that the colony was prosperous; that its prosperity was increasing, and must inevitably increase. And on the part of the colonists, their consent was given to the civil list on the ground that immigration was vitally necessary to their existence, and that unless they agreed to the terms demanded from them it would be withheld from them; and that the disorder consequent upon the stoppage of the supplies was daily exhausting the public revenues?—First of all, let me see who were the successful colonists.

138. You proposed the civil list upon the ground that the colony was prosperous, and that its prosperity was increasing; was not that so?—I proposed the civil list because I considered that it was paid out of the general funds of the colony, and that at that time the taxes were raised in such a way as that it affected nobody, or in a very trifling way, and that the colony at that time was sufficiently prosperous to grant it.

139. Were not the colonists induced to agree to that civil list because they considered that immigration was vitally necessary, and that unless they agreed to the terms demanded from them it would be withheld from them?—No, I do not think so.

140. They were not?—I should say that they have several times had the means of getting immigrants; the Government always intended to give them immigrants, and they knew that.

141. I ask you whether they were induced to agree to that civil list solely by the promise of immigration on the part of the Government?—Many other things may have combined to have made them grant that civil list; I do not think that it was immigration alone that was necessary for them; they got something in return.

142. Would they have granted the civil list if an immigration ordinance had not been promised to them?—I cannot say.

143. Do you think that they would have granted the supplies if they had been told that they were not to have an immigration ordinance?—They knew perfectly well that a great part of the civil list were dues to the Crown.

144. That is not an answer to the question?—I should say that besides the immigration they had certain ideas of their own; that they gained something by the civil list.

145. Sir *R. Peel.*] What were the conditions or expectations upon which they voted the civil list of 1841?—Immigration, I suppose; that is one, but they gained a great deal by it besides.

146. Mr. *Hawes.*] There were other financial arrangements of advantage to the colony connected with the granting of that civil list?—Of course; they got a great deal which the Crown had had.

147. Mr. *D'Israeli.*] Was immigration the principal consideration with the colonists in granting the supplies in 1841?—I should say that it was one; they knew that the Crown would have been able to obtain funds for carrying on the duties of the colony, and that if the colonists had not found funds the labourers would not have worked, and that they would not have been able to carry on the interior economy of the country without they had established paid officers; I should think that they were very anxious about immigration, and that they made it one of the points, but they gained something by the civil list.

148. Mr. *Hume.*] If the colonists had been told at the time when the civil list was under discussion that they were not to have an immigration ordinance, do you believe that they would have agreed to that civil list?—I am disposed to think that the immigration ordinance was passed by mutual concession quietly between Sir Henry Macleod and the Combined Court, and that it contained clauses which the Government disallowed, and still the civil list remained and they did not object to pay it.

149. That is not an answer to my question. Is it your deliberate opinion that if the colonists had been told at the time by you that no immigration would be allowed they would have consented to that civil list of 39,000*l.*?—I really cannot say.

150. Mr. *Hawes.*] In point of fact they did agree to the civil list without any immigration ordinance at that moment being passed; was any immigration ordinance actually passed at the time when the civil list was granted?—No; it was brought in at the same time as the civil list was, that is to say, it was promised; but

but not an immigration ordinance of the kind that they wanted to pass when I was negotiating the civil list.

151. *Chairman.*] You stated that the colonists wanted an immigration ordinance for obtaining immigrants, without any interference, from every part of the world?—Yes.

152. What paper is there to prove that, or where does it appear?—It should be amongst the documents of the Colonial Office.

153. Where is the ordinance; can you find it; I have never seen it?—You ought to find the despatch in which the Secretary of State gives reasons for disallowing that ordinance passed by Sir Henry Macleod.

154. I imagine from the tenor of your late despatches that the condition of the colony is very much changed for the worse since 1841, and that almost every prediction which you made at that period has turned out in a manner which you did not expect?—Perfectly. I may qualify that, I hope Where people speculate, and their sources of speculation and sources of obtaining money are dried up, they must immediately feel the pressure.

155. I find, however, that you had full confidence in the prosperity of the colony so lately as the 8th of April 1845?—Will you let me see what I said? If I said it I believed it.

156. I will read this extract from your despatch: "Having brought my report down to the present year, I shall write of what is now passing, as a proof that the colony is progressively advancing. The liberality of the legislature has been this year marked, as if its members were impressed with the conviction, which I have ever held, that this colony would become the first in importance amongst Her Majesty's West Indian possessions. Grants have been made for the annual repair of the parish churches; for shortening the line of road between Demerara and Berbice River; for a bridge over the Mahaica Creek, to replace an inconvenient ferry, the first step to the removal of other inconvenient ferries in the colony, which will add greatly to the facilities for internal traffic; a salary has been voted towards the payment of the head master of the collegiate school; grants made for improvements in machinery, in aid of agriculture and drainage; for an agricultural chemist and chemical apparatus, sufficiently liberal to induce a man of talent to come to this colony, with capabilities for lecturing on agriculture, and giving the analysis of soils, so as to improve cultivation, and, it is to be hoped, augment production. The impulse given to this subject by the Agricultural Society has had its effect, and augurs well for the progress of the colony. In my address to the Combined Court, forwarded by despatch No. 29, date February 15, I alluded to the flourishing condition of the colonial treasury, the large surplus applicable to the ways and means of the present year, and the undoubted signs of continued productiveness of ordinary imposts; the anticipated increase of the staples have, notwithstanding some increase of the estimate over that of 1844, enabled the Combined Court to relieve commerce from some of its heaviest burdens. It is not to be denied that some part of the community, and the planters particularly whose estates are burthened with heavy mortgages, are distressed; persons in difficulties previous to emancipation, whose compensation money did not entirely free them from debt; rash speculators, who have become bankrupt in trade; these feel the pressure of the times; but of these, the first are looking to immigration, which, with the favourable view taken by Her Majesty's Government in regard to the sugar duties, in support of the West India colonies, gives them new energies; they are prepared to exert themselves, and seem determined to strive in every way to give effect to the boon conferred on them; they look with becoming hope now, mixed with patience, for amelioration in their condition. With these exceptions, it can scarcely be said that the colony is not in a high state of prosperity. The ease with which imposts are levied, payments made for licences for shops, for huckstering, for duties on horses and carriages, and the great augmentation in the revenue derived from imports, from the sale of rum, wines, and spirits, are proofs that buyers are not wanting; and these buyers must bring ready money to the sellers, for even short credit is now withheld, except to approved persons; and this, totally at variance with the practice of the merchants on my arrival in the colony, imposes economy, and places commerce on a solid footing. Every trade seems to thrive; coachmakers, saddlers, tailors, milliners, cabinet-makers, master builders, butchers, bakers, have increased threefold; the food and necessaries of life are reduced in price;

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price; taxation therefore cannot be oppressive"?—I perfectly agree to all that I said there, and at that time I believed it.

157. "The surplus customs which, in consequence of the Act of Parliament of 5 & 6 Vict., gave anticipation of great diminution, are increasing; everything seems tending to the advancement of this province to the high position it will assume amongst the colonial possessions of Great Britain. Agriculture, commerce, institutions, appear to be placed in the road to success. There has been a crisis passed, probably the severest that could have happened, yet under whatever head inquiry is made on the state of the colony, there is a marked improvement to be observed: In finance, the currency has been settled suitable to West India transactions with the different states of North and South America, and in compliance with the instructions of Her Majesty's Government, and which will facilitate the speedy introduction of the currency of the mother country. The union of the estimates of Berbice with that of Demerara and Essequibo, has reduced the imposts on the planters of that country from four and a half per cent. to one per cent., now the rate on agricultural produce. The treasury is overflowing, large wants provided for, while taxation is diminished. In institutions, hospitals, collegiate and other schools, useful societies formed for the benefit of commerce, agriculture, and science. In population, increase from natural causes, with an excess of female births over males in the rural districts. In health, yellow fever rare, dirt-eating, yaws, and dysentery disappearing. In morality, there is every reason to believe that religious and moral instruction will soon place this on a par with populous countries in Europe. In places of worship everywhere multiplied, with a great addition to the ministry. In internal traffic, carried to every door. In villages and freeholds, rising from east to west of the province and already in existence, whose inhabitants are not lost to the cultivation of the staples, and are daily assuming a higher degree of civilization. In repression of crime, a well-disciplined police, detached in every district, leaving crime no refuge, and rarely failing to discover the offender, while the penal settlement produces a wholesome terror in those disposed to commit offences. And lastly, in the prospects of the colony, those of increasing crops and commerce. When, in addition to the above remarks, it is considered that the rivers and creeks flow so advantageously as to admit of an inland water communication from the Corantyne to the Orinoco by short canals of union of one river or creek or the other, we may confidently expect that under the fostering hand of the mother country this province will yearly become more valuable"?—I agree to it.

158. That was the 8th of April 1845?—If I had not thought so I should not have written it.

159. I have just read your despatch of 1845; now I find in a despatch, dated April 28th, 1848, that you observe that estates in the West Indies are now only being sold at a price at which, with good management, they may become profitable; you actually quote the sale of plantation Malgré Tout, the same estate which you stated had been sold in 1840 at 24,000 *l.*, as having been within the last few months resold at execution sale for 2,730 *l.*, and observe that its purchaser has "a noble chance of escaping ruin;" is not that your expression?—I dare say it is; I stand to it; I cannot alter the want of money.

160. I believe that 2,730 *l.* would not replace the machinery on that property, which was in excellent order when sold?—I dare say.

161. I perceive that you draw a very painful picture of the utter ruin of the planting interest, and the demoralization of the negroes in your despatches of March 18th and May 3d, 1848, to Lord Grey, in which you state that "as to the distress of the planters there can be but one opinion, and that absent or present proprietors are all in the same category;" I will read the passage?—I know the passage.

162. "In the latter end of 1846 and beginning of 1847, unworthy designing agitators influenced the minds of a large portion of the creole population; the labourers would not work. It would have been well for the colony if the diminution of wages, which is now in progress, had then taken place. The executive and paid magistrates, who were denounced as enemies to the creoles, as supporters, of the planters in attempts at diminution, had taken no part. It was left to the employers and employed to settle the question of wages in the same manner as at present, and as it has ever been; had the diminution of wages taken place in 1847 rather than in 1848, many estates now jeopardized would perhaps have escaped; for the crops were large enough to have given profit, had expenses of labour

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labour not absorbed it. I consider it a great disadvantage to the progress of civilization that the creoles, young and old, have hitherto been enabled to earn, by two or three days' labour of six or seven hours each, per week, more than sufficient maintenance; they are thus induced to irregular habits; they shoot, fish, and lead a wandering life. Planters cannot regulate the work on their estates as farmers do in Europe; they are subject to the caprice of the negro; continuous labour cannot be had; the crops fail, while the liabilities increase; and there are not a few of the nominal possessors of property who are ground to the earth by the debts accumulated annually from the enormous interest which the habits of West Indian dealings have introduced"?—I remember the despatch.

163. "It has been affirmed that although many estates may be abandoned, yet those whose owners can resist the present crisis will have the cultivation enlarged, will command more labour, and have better and larger crops; in the end, therefore, very little decrease will occur in the exports of the staple produce. With certain reservations, I think that the natural results of a diminished number of estates is, the employment of the hands turned away by other proprietors who have kept their estates. Many estates have already been sold to the creole labourers; the desire for land is not at all lessened. The experience of some years has made me alter my opinion as to the benefit the purchase of estates has been to the creoles. I was, like other well-wishers to the descendants of the African race, glad to see the progress of independence; but I do not believe now that such purchases have tended to the civilization, advancement, or industry of the purchasers." "The continued gains of the negro are daily proved. Within the last six weeks the 'Good Hope,' on the east coast, Demerara, was bought by a very limited number of labourers for 50,000 dollars; and an abandoned cattle farm, named 'Golden Grove,' on the same coast, has been bought by a single labourer for 5,000 dollars. It becomes a matter of serious consideration to what these purchases will bring the colony. It is to be hoped that education will elevate the minds of the creoles above being satisfied with the mere subsistence which the cultivation of provisions secures; the sea-coasts and trenches swarm with fish, for which there is no market, nor desire for one; it is eaten by the villagers, is not a medium of traffic; and the ease with which life is thus supported contributes to the indifference of a large portion of the creoles to aught but ease." "The emancipated negro has been so flattered and his vanity so excited, that he scarcely yet understands his position in society. In the efforts made to verify emancipation, humility has been forgotten. A marked change in the respectful demeanour of the population during the early years of emancipation, particularly in the younger of the creole race, is perceptible. I have even found it necessary, within the last 12 months, to keep a patrol of mounted police on the road usually frequented for rides and drives of exercise by the inhabitants of Georgetown, to check the jeering and impertinent remarks of the loungers in the neighbourhood of the town, which have often been levelled at myself." In the winter of 1847-48 there was a strike amongst the agricultural labourers of British Guiana, caused by an attempt on the part of the planters to reduce wages, was there not?—There was an attempt to reduce wages.

164. There was a strike?—Yes.

165. Are you aware that in the beginning of February 1848 Lord Grey, in his speech on the West Indian question, spoke thus with reference to Guiana: "He had seen it stated in a local newspaper that on the east coast of Demerara, where a contemplated reduction of 25 per cent. in wages had taken place, it had been met cheerfully and in perfect good humour by the negroes, who would submit to the reduction of wages when they saw that it was necessary, but who, when they saw the planters anxiously competing for their labour, would endeavour to get the last farthing they could obtain; the consequence of that reduction was, that at once, and without the expense of immigration, the colony obtained the advantage of one-fourth to its working population. If that were the case, would any man tell him that the system of protection was to the advantage of the planter?" Are you aware that that speech was made by Lord Grey?—No.

166. I presume that in your despatches, written in January 1848, you had taken care to keep Lord Grey informed as to the demeanour of the negroes at that time?—There is my despatch.

167. I ask you whether you had, in your despatches in 1848, taken care to keep Lord Grey informed as to the demeanour of the negroes at that time?—There was my despatch, if I am not mistaken, that you have just read.

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168. That is upon another subject altogether; I mean with respect to the strike in the winter of 1487-8?—Whatever took place I took care to write a despatch upon.

169. Do you remember having written despatches in order to keep Lord Grey well informed of what was the real state of the case between the negroes and the planters at that period?—Everything that occurred it was my duty to send home.

170. Had you not in these despatches stated facts which must have convinced Lord Grey that there was rather a foundation for the statements which he made in the House of Lords on the authority of a local colonial newspaper?—That is not my province to answer.

171. I merely ask you whether you did state facts to him to give him that information?—I gave him every information which it was my duty to do as Governor.

172. Mr. *Hume.*] Did you send to Lord Grey despatches at the time, stating what had taken place at the strike?—Undoubtedly; my remarks on the reduction of wages were sent home to the Secretary of State.

173. Mr. *Adderley.*] And the strike in consequence?—And the strike.

174. *Chairman.*] Did you not send a despatch to Lord Grey, which proved that there was no foundation for the statements which he made in the House of Lords on the authority of a local colonial newspaper; that the negroes had not met the reduction of wages cheerfully and with perfect good humour, and that nothing could be further from the truth than to say that the colony had obtained without the expense of immigration the advantage of an increase of one-fourth to its working population?—That is a question which I could not at all answer.

175. I only ask you whether you sent any despatch which disproved those statements?—I wish to give you every possible answer that will clear up this business, but I cannot tell you whether at that moment that despatch was written home. In the first place, I do not know that Lord Grey made that speech; I do not remember it.

176. Had you not on the 18th of January 1848 written thus to the Secretary of State for the Colonies: "The end of the year closed the manufacture of sugar, and employment of creoles who held out against any diminution of wages; and to this moment whatever is done, and very little is doing, is performed by the Portuguese and coolies, who are, however, often driven from the field by the creoles. It is in vain that the ministers of religion tell the creoles that the planters are reduced to such a state by the low prices as not to be able to afford, without absolute ruin to themselves, the same rate of wages as before; they stubbornly refuse to work at any reduction of price"?—I perfectly remember the despatch.

177. "Within one fortnight three fires incendiary have occurred, a return of which I annex." The date of the despatch is the 18th of January 1848?—Received on the 27th of February. It is very evident that the despatch could not have been received when Lord Grey made the speech which has been referred to.

178. Were there not at the same period repeated incendiary fires occasioned by the evil spirit evinced by the negroes, in consequence of the proposed reduction of wages?—Yes; that formed the subject of my despatch.

179. Mr. *Hawes.*] And, I believe, you took vigorous measures to suppress them?—I took vigorous measures.

180. *Chairman.*] Did you not state, in a proclamation issued by you on the 19th day of January 1849, that there was "but one cause which could be assigned for the crimes against which that proclamation was issued," and that that cause was "the proposed reduction of wages hitherto paid to the labourers on the plantations"?—In consequence of those fires I took the most determined precautions, and put a stop to them.

181. Did you not on the 14th of February write a despatch to Lord Grey, to inform him that "the cessation from labour still continued"?—I suppose I did, if it is there.

182. Is the following a correct extract from a speech made by Mr. Rose in the Court of Policy when you were present, in allusion to Lord Grey's statements. I will read Mr. Rose's speech. Mr. Rose said, "I do not wish to take up the time of the court, but before I resume my seat I beg to say, and I believe the other members of the elective section will bear me out, that we have no desire to do anything

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anything that would embarrass your Excellency. We are compelled by dire necessity to adopt a line of conduct which we should be glad under other circumstances to forego. It would afford us great satisfaction to be enabled to raise the supplies. We are convinced that your Excellency has laid before the Government a true statement of the condition of the colony, and that if they had listened or paid any attention to the despatches which you furnished, if they had not been deaf to reason and justice, things would have been otherwise; but what are the statements which Earl Grey makes in the House of Lords? He tells them that great reductions have taken place in the wages of the labourers, and he quotes an article in the Royal Gazette in confirmation, perhaps, of what your Excellency wished should take place. He quotes an article from the Gazette, which, according to his version, states that a reduction of 25 per cent. has absolutely taken place in the wages of the labourers, and that they are working cheerfully." "Governor Light: I did not make that statement." "Mr. Rose: No; I say that your Excellency's statements, so far as his Lordship has given them, are perfectly correct and satisfactory; but by way of supporting his views, he read an article which he said he found in a local paper, containing a statement that the labourers were working cheerfully at a reduced rate of wages by 25 per cent., which, in his opinion, was at least equal to so many additional labourers; I wish his Lordship better information in future." Do you remember that occurrence in the Court of Policy?—I dare say it took place, as matter of course, particularly if it is put down; but with regard to the reduction of 25 per cent. to the labourers, you will find in one of my despatches that where people had money, and they wanted labour, they would give 25 per cent. above the 25 per cent., and that though labourers would have been glad perhaps to have worked for 25 per cent. less on some estates, yet if a planter wanted labour he would get a labourer away from an estate and give him 25 per cent. more than the old wages. You will find a despatch of mine on that subject, if I am not mistaken.

183. Mr. *Villiers.*] But I think you state that that report is substantially correct of what occurred when you were present?—I dare say it is; no doubt, if it was in the newspaper, I was there.

184. *Chairman.*] I believe that you have given it as your opinion, that the planters of Guiana are in such a prostrate condition as to be unable to afford any further outlay in improving their manufacture and cultivation?—I have.

185. Have they not exerted themselves in an extraordinary degree to improve their properties, by the aid of scientific agriculture and by the best machinery?—Not in a very extraordinary degree; it is only latterly that they have taken it up, within the last 10 or 12 years. I think they have had an improvement in the way of bringing the canes to the mill, and taking the canes to the megass houses; that is one of the improvements; and latterly some of the planters, and who have improved their property very much by it, have taken to what they call fork cultivation, a sort of two-pronged or three-pronged fork to turn up the ground, but there has been very little improvement in the agriculture of the country; they only began to think of it since the time of the agricultural chemist, a Doctor Shier. The fact is, that had the want of money in the country not taken place, the planters would probably have been able to get money, and with it they might have improved the agriculture, and particularly the thorough drainage, which I have written about some half-dozen times myself within the last seven or eight years; but they have not been able to carry into effect the suggestions and proofs of goodness of Doctor Shier's system.

186. Was or was not Lord Grey accurate in declaring, that "there is no colony in which greater or more enlightened endeavours have been made for the improvement of agriculture and manufacture than in British Guiana;" and in complimenting them on the energy and perseverance with which they have met the difficulties of their position?—Yes.

187. Mr. *Hawes.*] Those remarks being applicable to the recent improvements?—To the recent improvements.

188. *Chairman.*] As you have admitted that the colonists are in great distress, do you think it unreasonable that they should have sought to diminish their public expenditure?—If the planters alone had paid it, or if they had been great contributors to the civil list, I should have said it was very natural; but as they have continued to take everything for the public expenses of the colony out of every tax of the colony, and the population can readily pay all the taxes that are paid,

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I considered, and do consider, that it was unreasonable to attempt to reduce the civil list, because the planters do not pay it.

189. The planters pay very heavy wages to the negroes, do not they?—The planters pay those wages that are current in the colony.

190. And are not they very high?—They are just the same as they were in former days, in the beginning of 1838, 1839 and 1840, but they have been reduced.

191. Are they not still very high?—They are higher than in any of the colonies except Jamaica or Trinidad; they are higher than in all the Leeward and Windward Islands.

192. And if the taxes are imposed upon the necessaries of life, the negroes are naturally justified in requiring higher wages, are they not?—I do not at all consider that the taxation of the country is extravagant; I have not the slightest feeling on that subject, but that they are enabled to pay it, and particularly the rum duty; the rum duty and the wine and spirit duties, including the licences for the sale of spirits, which if you could tax twice as much and prevent smuggling, it would be a very good thing, and they do pay one-third of the expenses of the colony.

193. Then I understand you that you do not consider the distress of the planters as any justification for reducing the public expenditure?—No, not at all.

194. I believe that in 1838 you found the annual expenditure of the colony, then in a state of prosperity, to be 135,000*l.*; and that in 1847–8, according to Lord Grey, when in a prostrate state, it amounted to 227,000*l.*, or 1,060,000 dollars?—How much of that was paid for immigration?

195. I do not know; you perhaps will be able to tell us?—In 1847 I think there were upwards of 300,000 dollars paid for immigration out of the general taxation of the colony; the hospitals almost entirely applied to immigrants 48,000 dollars; they would not have been wanted if there had not been immigrants.

196. Do you still consider then, that the reduction of 25 per cent proposed by the Court of Policy was unreasonable, considering the altered and deplorable circumstances in which you have described the colony to be?—I consider that the Court of Policy did not attempt to reduce that civil list for any other purpose but to force the Government to change their measures.

197. Do you consider that you could, with propriety, have expected the inferior public servants of the colony, whose salaries are not guaranteed by the civil list, to submit cheerfully to the proposed reduction of 25 per cent. when your own salary, and those of the higher officers of the Crown, remained undiminished?—I should have obeyed orders. I consider that the officers on the civil list are the essential staff of the country. I do not think I should have said either one way or the other. You must ask me an opinion, whether I think it would be fair. Between man and man it would, perhaps, not be fair, but it would be according to the ideas which I had of my duty.

198. Sir *R. Peel.*] That is not exactly an answer to the question. The question is, would it have been easy to have satisfied those who were not on the civil list, by a reduction of their salaries, if those on the civil list were exempted from that reduction?—I may add to this, that in my opinion, the reduction of those who were not on the civil list would hardly have taken place. I do not think it will take place now.

199. Why would it not have taken place; would it have been felt to have been an unjust measure?—With regard to colonial legislature, and particularly the colony of British Guiana, I can hardly say whether they would act from a principle of hurting the Government, or hurting the general mass of public officers.

200. Mr. *Hawes.*] I think you have stated in one of your despatches, that you had no doubt that a considerable reduction was practicable in the expenditure of the Government, from the civil list?—Undoubtedly it was.

201. An expenditure of 25 per cent.?—You will find that thre are certain things which were put on that were not to be put on again.

202. Mr. *Gladstone.*] Do you think it would have been agreeable to the colony at large if the Combined Court had proceeded to reduce the salaries of the officers that were not on the civil list, without at the same time procuring a reduction in the

the salary of the Governor on the occasion of the vacancy which had occurred; —It depends on circumstances; two or three men in a colony lead the whole.

203. Is it not in your power to give any more definite answer than that it depends on circumstances?—(*The previous question was read.*)—I do not think that the mass at all considered the question. I should say that hypothetical questions of that kind it is a difficult thing to answer, because it depends entirely upon a particular turn of thought at the moment.

204. Mr. *Hume.*] Did you not write to Lord Grey that the Court of Policy might make large reductions, without interfering with the civil list?—I think I did.

205. Mr. *Hawes.*] This is a despatch dated April 13th, 1848: "The estimate of last year may be very much reduced. One item alone, 100,000 dollars for immigration purposes, exclusive of what was proposed on loan, is rendered unnecessary by the liberality of Her Majesty's Government. The grants to the different parishes have been more than liberal. I feel certain that very nearly 25 per cent. may be struck off without diminishing the efficiency of the public service"?—What those particular reductions were I cannot at this moment remember, and I do not know why I did not add the items that could have been reduced; but I know that the very large item of 100,000 dollars, which was put for immigration, and taken out of the colonial funds, was on in 1847, and could have been taken off in 1848.

206. Mr. *Hume.*] Can you not state any other reduction which you could have made besides the 100,000 dollars for immigration?—Certainly there were reductions; I cannot now remember them; but I put that down as one of the large items.

207. Mr. *Hawes.*] But the Combined Court has the full power, has it not, to make reductions over at least six-sevenths of the whole expenditure?—Perfectly; and I doubt whether they would have reduced the salaries at all.

208. Mr. *Hume.*] Have you not stated in several despatches that you considered immigration essential to the prosperity of the colony?—Certainly.

209. Then would you have reduced that 100,000 dollars applicable to immigration contrary to all the opinions which you have given?—They would not have wanted to put it on; it was first put on in 1847.

210. That is not my question. You have before stated that immigration you considered essential, and consequently the expenses of that immigration you considered legitimate and right?—Perfectly.

211. On what grounds, therefore, when you have depicted the colony in a state of distress, could you have refused the means of getting immigrants which were so essential to the prosperity of the colony?—The Government had already supplied 100,000 *l.*

212. Are we to understand that you would have put an end to immigration by this measure? Are we to understand that if you had had the power you would have stopped all resources for paying immigrants?—Not at all; it is exclusive of other means, and the Government proposed paying the expenses of all the captured Africans, and furnishing, I believe, Africans from the African coast.

213. Sir *J. Hogg.*] Will you have the goodness to state to what you allude?—The loan which the Government at home proposed to grant; the colony could not get the second portion of the loan, and the Government came forward to advance money for immigration.

214. Mr. *Hawes.*] To meet the bills which had already been drawn on account of immigration?—Yes; and therefore the 100,000 dollars would not have been necessary.

215. *Chairman.*] Did not the elective members of the Court of Policy move and carry, on the 30th December 1847, certain resolutions, praying the Home Government to sanction the reduction of the salaries upon the civil list to the extent of at least 25 per cent., and expressing their intention to carry out similar and extensive reductions in every branch of the public expenditure?—Yes; no doubt.

216. Did they not assign to you satisfactory reasons for deferring the framing of the estimate for the year until the 15th May 1848?—They did; I will not say they were satisfactory to me, but I allowed them.

217. Mr. *Hawes.*] The reason you assigned for allowing them was that between May and the middle of June there would be abundance of time to consider the tax ordinance?—Yes.

218. *Chairman.*]

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218. *Chairman.*] Did you not submit to the Court of Policy, on the 21st of March, a despatch from Lord Grey, dated February 15th, 1848, refusing to accede to the proposed reduction of the civil list, but admitting in general terms the distressed state of the colony?—If it is there probably that despatch will be found.

219. You do not remember it?—I remember it perfectly.

220. Did not you, on the 11th April 1848, by your casting vote force the estimate through the Court of Policy?—I did.

221. Your supporters being, without exception, Government officials?—I did feel it my duty.

222. Did not every non-official member of the court who was present protest against your proceedings?—He did.

223. Did not every elective member of the Combined Court, including the financial representatives, express his disapprobation of the course which you had adopted?—He did.

224. And did they not pass resolutions to that effect, the *ex-officio* members of the court alone voting against them?—They did.

225. And did they not offer to extend the existing tax ordinance to the 15th of August in order to afford time for another reference to the Colonial Office?—Yes, I believe they did; six weeks; but all these things are in the despatches.

226. Mr. *Hawes.*] Was it only to afford time for a reference to the Colonial Office?—Not a bit, and I knew very well that there would not be time, at least I think not; it would not have given time to the Colonial Office to settle what steps to pursue if those gentlemen chose to continue the stoppage of the supplies.

227. *Chairman.*] Did not you decline acceding to their request, and adjourn the Combined Court *sine die*?—I did.

228. Then, in point of fact, the supplies were stopped by you and not by the colonists?—I stopped the supplies?

229 By adjourning the Court *sine die*?—Because they refused to pass the supplies for that length of time; that I could not allow, and would not allow, and did not allow.

230. Mr. *Hume.*] At a previous meeting had you not sanctioned the supplies for a short period?—Not the supplies; the estimate; the supplies are a different thing. I did not allow the supplies to be passed for six weeks, because it would have been embarrassing the Government.

231. Mr. *Gladstone.*] You have stated an opinion that the time which the six weeks renewal of the ordinance would have afforded would not have been sufficient to allow the Government at home to consider the question, and to send out definitive instructions?—No; it was done in May.

232. Was it not in April; here is a despatch of yours dated the 28th of April, in which you detail the proceedings in the Combined Court, and where you say that it was proposed to you that the consideration of the estimate should be postponed till the 20th of July, and that you should allow an ordinance to be brought in to renew the tax ordinance, expiring on June the 30th, for six weeks, that being the 28th of April?—Yes.

233. Would not the time between the 28th of April and the 15th of August have been amply sufficient for you to write home, and for the Government at home to make their determination, and for you to receive their reply in the colony?—I considered it too short a time.

234. From the 28th of April to the 15th of August you considered would have been too short for that purpose?—It would have been three months and a fortnight, and Her Majesty's Government would have had two months only to have considered it.

235. Did not you consider that that would have been sufficient for the purpose?—I considered it insufficient, and therefore I refused it.

236. Mr. *Hume.*] Did not a resolution of the court pass on the 29th of February with respect to the estimate; I find that on the 11th of April "it was moved and seconded that the estimate be brought up;" the Honourable Mr. Rose moved, seconded by the Honourable Mr. Stuart, an amendment, as follows: "That the consideration of the estimate be postponed until the 15th day of May, in conformity with the resolution of this court passed on the 29th day of February last;" and it appears that, on division, by your vote the motion was carried; I wish to know whether that was not done with the view of

giving

giving time to communicate to the Government the actual state of the colony?—No; the reason of my bringing in that estimate, after having allowed the estimate to be put off till the 15th, was in consequence of a statement by one of the members, I believe it was Mr. Rose. There was some expressed opinion that they would not pass more than six weeks' supplies, upon which I determined to take the sense of the Combined Court, believing that the good sense of the people would know that they should not sacrifice so many hundred thousand dollars as they would have done, and as they have done, by stopping the supplies. Therefore the moment I found that the members of the Court of Policy determined to carry on a certain system, I determined to bring the matter to a crisis, and had the Combined Court assembled, and the Combined Court did assemble, accepted the estimate, and refused to pass more than six weeks' supply; and the consequence was that I adjourned them *sine die*.

237. Mr. *Gladstone.*] It appears from these papers that the proposal to renew the tax ordinance for six weeks was declined by you on the 27th of April; from the 27th of April to the 15th of August, when the renewing ordinance would expire, comprised a period of 110 days, which you have stated you considered too short for the purpose of settling the matter?—I did.

238. Are you aware that Lieutenant Governor Walker, who succeeded you, wrote to Lord Grey on the 24th of June, stating that he had then accepted a renewal of the tax ordinance for three months, and that the period of three months, measured from the 13th of June, and added to the days between the 24th and 13th of June, only gives a sum total of 99 days?—Yes, I am perfectly aware of that; but I considered that three months was the necessary time, as it was granted, I think, before, to give the Government time to know what to do.

239. Then Lieutenant Governor Walker considered 99 days to be sufficient for the purpose?—But he got what he wanted.

240. Then Lieutenant Governor Walker considered 99 days to be sufficient for the purpose, for which you had thought 110 days insufficient?—I am not answerable for Governor Walker; he was very anxious to get the three months, and so was I; and if I could have got it I would have yielded, but I did not choose to yield.

241. The Committee, however, is to understand that there was that important difference of opinion between you and Lieutenant Governor Walker?—Not a bit; he got his three months.

242. Is it not the fact that you refused the offer of the six weeks' ordinance on the 27th of April, and that the six weeks' ordinance offered you would have allowed 110 days for the settlement of the question?—That did not enter into my head. I determined that there should be three months.

243. Will you have the kindness to give an answer upon the matter of fact. Is it not true that the offer of a six weeks' ordinance, if accepted on the 27th of April, would have given 110 days, or thereabouts, for the communication with England, and the settlement of the question?—I suppose so; if it was on the 27th of April it must have done it.

244. Is it not also the fact that the three months' ordinance, given on the 24th of June, only allowed 99 days for the settlement of the question?—Apparently so.

245. Then is it not the fact that Lieutenant Governor Walker accepted a period of 99 days as sufficient for that purpose, for which you had considered 110 days as insufficient?—He did what he thought was best, and I did what I thought was best; and he did perfectly right; and if I had been in his place I should have done the same thing; but I had my views to carry out, and determined to carry them out.

246. Then is the Committee to understand you to say that Lieutenant Governor Walker, in your view, was right in accepting the 99 days?—In accepting three months' prolongation of the tax ordinance, to be sure he was.

247. You give that opinion, although the three months' renewal which Governor Walker accepted only gave him 99 days in the whole?—It was charity to the whole colony to do it. It would not have been charity to the colony to have accepted to the 15th of August. My opinion was that the common sense of the colony would have prevented them from doing what they have done. The tax ordinance expired on the 30th of June, and therefore six weeks of taxation, from the 30th of June, would not have answered my purpose.

248. Major *Blackall.*] At the time that they refused to give you the three months, did you then refer the matter to the Colonial Office?—I referred the matter

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the moment it was necessary. I cannot exactly recollect the dates, but there they are.

249. Mr. *Hawes.*] You wrote I think to the Colonial Office on the 28th of April ?—I think I did.

250. Here is a despatch dated "Government House, Demerara, 28th April 1848;" and that despatch wholly related to the refusal of the supplies ?—Yes.

251. Mr. *Hume.*] What were your views ?—My ideas were, that it was just and proper to give the three months, and that it was promised to me.

252. Mr. *Hawes.*] At page 32 I wish to call your attention to this passage: "The Combined Court having met, the resolutions were put and carried, opposed only by the officials. I then rose and read a short minute, of which I annex copy:—The desire to compromise me has been manifest; first, by wishing to adjourn the consideration of the estimate until the 20th July, 20 days after the expiration of the tax ordinance of 1847, and 25 days only before that of their proposed tax ordinance, to the 15th of August"?—I perfectly well remember writing that.

253. It was the short time allowed you to consider the renewal of the tax ordinance that formed one part of your ground for refusing to agree to the six weeks' supplies ?—I had been made to understand that the Combined Court would give three months, and therefore I refused to take six weeks.

254. Mr. *Gladstone.*] Did you understand that the Combined Court, while they were willing only to give six weeks at once, were likewise willing to meet before the expiration of the six weeks' ordinance and give a prolongation ?—Supposing they had not got a despatch that they liked, would they have done it ?

255. Was there not a motion made, in which motion they expressed a willingness to give six weeks' renewal, and likewise to give a further renewal if necessary ?—But that necessity depended upon the despatches that they got.

256. Mr. *Hawes.*] Do you recollect the resolution which the court came to upon that subject, which is this: "It is the opinion of this court, that in the present state of the colony, it is desirable to defer the consideration of the estimate until the result of the deliberations of the Committee of the House of Commons, now inquiring into the condition of the sugar-producing colonies, be ascertained, so as to enable the court to form a more correct opinion as to the means the colony will have of defraying the public expenditure. This court therefore recommends that the consideration of the estimate should be postponed until the 20th day of July next"?—I perfectly recollect that.

257. Did that reason weigh with you or not ?—No. I considered that the question was between the Government and the planters, whose intention to stop the supplies I had believed was certain, except to a certain extent, and that in passing the supplies for that three months, it would have given the Government an opportunity of deciding upon what course to pursue.

258. *Chairman.*] In a despatch dated 5th May 1848, you allude to a declaration numerously signed by the inhabitants of British Guiana, and declare that its value, as far as credit and respectability are concerned, has been shown by the financial accountant's analysis. Do you mean to say that the names appended to it are unworthy of attention or belief ?—Not the names of all. Look at the dissection of it which is in my despatch.

259. In a subsequent statement made by you in the same despatch, you say that the planters pay scarcely any but indirect taxes; it would seem that the ordeal to which the financial accountant submitted the declaration, the quantity of direct taxpayers whose names were appended to it, would lead to an unfair inference ?—What do you call "unfair" ?

260. I mean if the planters paid scarcely anything but indirect taxes, it would be no fair inference that because they did not pay direct taxes they were not respectable people ?—No; you will find in the dissection of the declaration which is in my despatch, that only a certain number paid any taxes at all.

261. Will you just look over the list of the names and state to the Committee whether there are not included in those many of the most respectable inhabitants of the colony ?—Would you look at the despatch in which I sent this home, enclosing a copy of it ? The planters pay one per cent., and all the rest is indirect taxation. I dare say there are a great number of planters here paying direct taxes one per cent.

262. This is what I allude to: "The Colonial Section have published a preliminary *exposé* of their conduct, for the use of the West India proprietors at home,

home, and a *resumé* of the transactions in the Court of Policy and Combined Court (reported in my despatch No. 71, date 28th April) of which I annex copy; to this is added the 'celebrated declaration,' the value of which, as far as credit and respectability are combined, has been shown in the financial accountant's analysis; boys from the streets were called into the stores where the declaration laid, to sign it, ignorant of its meaning or intent"?—That is the report to me; will you see the analysis or the dissection of the number of people who signed this declaration? I do not see the dissection of those; I have not the slightest doubt that a great number of them, the greatest number of them, were people got up for the occasion.

263. But it does contain some of the names of the most respectable inhabitants of the colony?—Certainly; I do not see the analysis.

264. Mr. *Hawes.*] Not amongst the enclosures?—No.

265. *Chairman.*] I see that in the same despatch you declare that there are ample means in hand for paying the civil list if the Combined Court persevere in attempting to reduce it?—For three months.

266. And if the supplies are stopped, in consequence of the adjournment of the court by you; you state that the civil list amounts to 162,000 dollars, and that there are available resources amounting to 131,000 dollars, to which you add, "Savings bank money" 43,000 dollars; total 174,000. You add that you consider that the savings bank money should be inviolable, but that you have nevertheless put it down as available?—I have.

267. Do not you think that such an expression, alluding to the savings bank, must be productive of the very worst results, and must excite suspicion and uneasiness in the minds of the depositors?—Not in the least; the thing was given in to me, and I at once said, as I have said to Lord Grey, that it must not be touched.

268. But you put it down as available?—Available in case of great necessity.

269. Mr. *Hawes.*] You have stated that the savings bank money, though put down by you as available, was to be considered as inviolable; do you remember the despatch which Lord Grey addressed to you in answer to that despatch in which you referred to the savings bank money?—I perfectly remember the despatch in answer, in which he says, "Of course that money is not to be touched."

270. Do you recollect this passage: "I trust that these considerations will have occurred to the colonial members of the Combined Court, and will have induced them to adopt a wiser course than that which is announced in the despatches before me: if this should not be the case, it will be your duty to avail yourself of the resources for meeting the expenses of the government which are enumerated as available in Governor Light's despath, No. 83, of the 5th May, not including however the savings bank money, which must be considered as applicable only to its own purposes"?—Perfectly well; but that despatch was not written to me, I believe.

271. *Chairman.*] I see that in a despatch to Earl Grey, dated April 13th, 1848, you say that it would undoubtedly be in the power of Her Majesty in Council to alter the constitution of British Guiana; will you state what you mean by that?—As being a Crown colony.

272. You mean that the constitution should be suspended by an Order in Council?—Yes; I have a good legal authority for it.

273. Do not you think that it would have been more politic and merciful to have interposed by an Order in Council, suspending the Legislature and regulating the taxation of the colony, rather than to have exposed an already distressed community to the pecuniary losses and social disorganization occasioned by the adjournment of the legislature *sine die*, and by the subsequent suspension of immigration which you have represented as so important to the progress of the colony, you consider the measure which you adopted the best?—I consider the measure which I adopted the best!

274. If, as you have stated, the general feeling of the colony is in favour of your views, and adverse to those of the party opposing you, do not you think it unjust to have punished the entire community in its present deplorable condition in consequence of the obstinacy of a few?—I punished the community!

275. Is not stopping the supplies punishing the community?—I stopped the supplies!

276. You adjourned the court?—I adjourned the court because I considered it was my duty to do so.

 277. And

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277. And stopped the supplies?—They stopped the supplies, and I would not go on.

278. Have you not stated that the general feeling of the colony is in favour of your views?—Where?

279. In your despatches?—I mean that a great many would be very glad to change the system of government there into a council of government, as it as at Trinidad; that is my idea.

280. I speak with reference to this stoppage of the supplies; have you not stated that the general feeling of the colony was adverse to the course adopted by the Court of Policy?—I believe so.

281. Then do not you think it unjust to have punished the entire community in consequence of the obstinacy of a few?—How could I punish them? How did I punish them? I had no power over the Combined Court. I was open to an offer, and I expected an offer, and I said in one of my despatches, "Pride will probably prevent them from doing it, but I have no doubt that they will come to some terms before the period of the tax ordinance expires;" and they did do so, and passed an ordinance for three months.

282. Are you aware whether Mr. Gladstone, when Secretary of State for the Colonies, issued instructions to the effect that no bankrupt should be promoted to a situation in the civil service of the colony?—Yes; I think that there was some order respecting it, unless he came out with clean hands. You will find that there is a despatch on that subject, which I should like now to refer to, if you please, because I presume there will be questions put on the subject of certain appointments.

283. I have not that despatch at present?—There was some such despatch. I cannot exactly say, but I believe there have been other despatches on the same subject.

Jovis, 15° *die Martii*, 1849.

MEMBERS PRESENT.

Mr. M'Cullogh.
Mr. Hawes.
Mr. Adderley.
Mr. Villiers.
Sir James Hogg.
Mr. Wilson.
Mr. Gladstone.
Mr. Stuart Wortley.
Lord Hotham.
Mr. Hume.
Sir Joshua Walmsley.
Major Blackall.
Sir Robert Peel.

HENRY JAMES BAILLIE, Esq., IN THE CHAIR.

Sir *Henry Light*, K.C.B., called in; and further Examined.

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284. *Chairman.*] YOU stated in your evidence, on Tuesday last, that the Court of Policy had suggested, in 1840, an immigration ordinance, with a view to obtain immigration from all parts of the world, without regulations of any kind?—I meant without regulations such as I thought were right.

285. Did you forward a copy of the proposed objectionable ordinance to the Colonial Office?—I cannot say; I dare say I did, because everything that passed was sent to the Colonial Office; there was no ordinance, I suppose, passed, because I should not have allowed an ordinance of that kind to come in. I gave information to the Colonial Office that such was the reason for my refusing it, and that was the cause of the stoppage of the supplies.

286. In what did the ordinance actually passed and approved by Sir Henry Macleod differ from that proposed by the Court of Policy?—I suppose it must have been exactly the same, otherwise the Secretary of State would not have disallowed it. It was objectionable; it was an ordinance which I would not pass. Sir Henry Macleod asked me to pass it before it went away, and I said I would not do it.

287. That ordinance to which you allude is the one which was sent home by Sir

Sir Henry Macleod?—What I mean to say is, that it must have been very similar, otherwise they would not have disallowed it at the Colonial Office.

288. Had you not assured Lord Normanby, in a despatch written on the 18th of September 1839, that the Court of Policy sincerely desired to enact such an ordinance relative to immigration as would be unexceptable; did you not say, "They would have applied themselves with cheerfulness to remedy any of the defects existing in the law which has been disallowed, nor would the Combined Court, I think, have refused to draw the funds necessary for the encouragement of immigration from that portion of the community which your Lordship supposes would alone derive benefit from the influx of labour"?—I have no doubt I said that.

289. How does that agree without your statement relative to this proposed ordinance?—At that time, I believe, Lord Normanby was not in office when the civil list was proposed.

290. I have just quoted your despatch to Lord Normanby upon the subject?—That was a different despatch; it was a different ordinance. That was one which Lord Normanby disallowed which I sent home; and I was very sorry it was disallowed; but if there are certain rules for Her Majesty's Government upon particular points, they must adhere to them, and this was contrary to those rules. I said as much as I could, I think, to the Government, to show that I was very sorry that the ordinance had not been agreed to.

291. That was not Sir Henry Macleod's ordinance?—No; I should think not. Sir Henry Macleod came in at the time Lord John Russell was in office. You will find that that ordinance had nothing to do with the coolies from every part of the world; at least such is my recollection.

292. In the despatch of yours which I read on Tuesday last, dated April 8th, 1845, you described the singularly prosperous condition of British Guiana. I will now read an extract from a despatch of yours, dated the 18th of March 1848: "As to the distress of the planters there can be but one opinion; absent or present proprietors are all in the same category, and are contemplating the abandonment of estates. I believe at this moment, if any person could influence a change in the present stand against civil lists and supplies it would be myself; thus are opinions changed, but despair breaks all forms; and unless I am able by the next mail to communicate some other concessions to the planters, your Lordship will have to settle their financial difficulties as circumstances demand. The labourers have the money that has been expended on them since emancipation; whatever be their rise in society hereafter, they are totally unfit now to carry on the cultivation of estates without some responsible head, though they probably will be the purchasers of many of the estates as they fall to the law. Civilization will not benefit by this change of hands, as has been proved on several of the estates purchased by negroes on the east coast, Demerara particularly, where the original purchasers have created such disorders, by sub-selling and sub-letting, that no combined system of industry, the only possible mode of keeping up a sugar estate, has been followed. Many persons have endeavoured to pursue the métairie system since the money crisis, but few have carried it out, the negroes not being under supervision in which they have confidence, neglect the cultivation." I suppose the Committee may assume that that was a faithful picture of the state of the colony when you left it?—That was my language.

293. Will you have the goodness to inform the Committee what you allude to in this passage: "Unless I am able by the next mail to communicate some other concessions to the planters, your Lordship will have to settle their financial difficulties as circumstances demand:" did you by that mean concessions with respect to the civil list?—Respecting the management of finance; not at all concessions with respect to the civil list. I left it from that to be understood that the affairs of the colony were in great difficulty, and that the Secretary of State must do something or other to remedy it, if they did not continue the supplies.

294. But you did not suggest any particular remedy yourself?—I believe in one instance I alluded to the advantage it would be if money could be advanced to assist the planters in agricultural improvements. The Committee will find that in one of the despatches.

295. I infer from the evidence which you gave on the last day, and from the general tenor of your despatches, that the reliance which you placed upon the statements of Mr. Carbery, Sir Michael M'Turk, and other speculators, must

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have placed you in antagonism to other proprietors in the colony?—I never thought about antagonism; I did not care for antagonism; I wrote what I thought, and expressed what I considered was the state of the colony.

296. Were there proprietors in the colony who differed in opinion with you in that respect?—I dare say there were. I have been in a constant state of disagreement with the opinions of a great number of the proprietors. I do not say, however, that I based my opinions upon those of Mr. Carbery and Sir Michael M'Turk.

297. Mr. *Adderley.*] From what information did you form your opinions with respect to the prosperity of the colony in 1841?—In 1841 I took a series of months. There were a considerable number of estates put into the market and bought at large prices, Sir Michael M'Turk himself buying an estate at 38,000*l.*, the valuation of which he made during the time of slavery. I considered that from the fact of those estates being put into the market and bought at high prices, I had a right to suppose that the people did not think that the colony was going to be ruined.

298. *Chairman.*] But there were people at that time who were quite of a different opinion, were there not?—I dare say there were.

299. And those people generally opposed you in the Court of Policy, did they not?—Some of them did; not all of them.

300. During the 10 years that you governed British Guiana the elected members of the Court of Policy had been more or less in opposition to the Executive in the colony, and to the Colonial Minister at home, had not they?—Yes, they had, and so they have for the last 20 years.

301. Mr. *Adderley.*] Were not the main body of proprietors of a contrary opinion at that time?—I do not think the main body of proprietors were of a different opinion from me; a very large proportion of them considered that there was great hope for the colony.

302. Were not those whom you considered the principal proprietors in the colony of a contrary opinion?—The principal proprietors living in the colony were people who purchased upon speculation; there were very few resident proprietors.

303. *Chairman.*] What were the principal points of difference between you and the colonists during the 10 years that you governed the colony?—They believed that I favoured the labourers, and that I did not assist them in their restrictions. I believe you might say it was upon the principle of, "I do not like thee, Dr. Fell; the reason why I cannot tell."

304. Mr. *Hume.*] Were there no specific objections stated, nor any written representations made during that time by the colonists, against the policy of the government you were carrying on?—They may have made such representations in the Court of Policy. I went out in the year 1838, and the leading men of the Court of Policy did not like the anticipated shortening of the apprenticeship of 1838. I found it had been moved in the Court of Policy to get rid of emancipation; it was, however, the wish of the nation. The Government yielded to that wish, and it was necessary to carry out the anticipated emancipation.

305. *Chairman.*] You are speaking of events which occurred previously to that time?—No: I went out, and found the motion had been proposed. Various parties attempted to bias me to carry forward that motion, or to oppose it.

306. Who were the parties to whom you allude?—The Committee will see from the memorials that were made to me; in the Court of Policy there were Mr. Rose and Captain Warren, and a very gentleman-like respectable man, who did not oppose me after he found I did my duty, but whose name I forget at the moment. There were three members in the Court of Policy who opposed the emancipation, but I carried it as a matter of course, because it was the wish of the Government, and from that moment I was devoted to the odium and public hate of those who did not like the emancipation to take place in 1838.

307. By emancipation do you mean the shortening of the apprenticeship for two years?—Yes; that was one of the chief reasons of the opposition which I received.

308. Did not the colony suffer great loss by that measure being carried?—I do not think it did; I think they would not have got any work done at all otherwise, there were such proceedings going on among the labourers; therefore it was of the greatest benefit to them to carry that emancipation, the labourers

otherwise

otherwise would not have worked at all, and probably half the plantations would have been burnt down.

309. Mr. *Hume.*] Are the Committee to understand that the principal objection to you was with respect to the abridgement of the apprenticeship?—Yes; I think that was one of the first causes.

310. Can you state what other objections or what other differences of opinion followed that?—Of course if they choose to set a man up as the enemy of the planters he is immediately cried down by those who rule the public voice.

311. You have stated one point of objection which began when the apprenticeship was proposed to be abolished; subsequently to that what was the specific point of objection stated by the colonists to your policy?—I proposed immigration only to the extent of 3,000 to 5,000 per annum. I said at that time they could not support more; that was one of the additional objections to my policy. I stood out however for that, and they have never had in fact 5,000 per annum.

312. You proposed that, did you?—I did, to Her Majesty's Government.

313. Did the colonists object to that?—They objected to the smallness of the number; they wished to have them in the number of 10,000 or 15,000 at a time.

314. The colonists agreed with you as to the desirableness of some immigration, but they wished for a greater extent of it than you thought right to permit?—Yes.

315. What other point of difference was there?—I do not know. For the last three years I was not at all at variance with the colonists. On the contrary, I have received those gentlemen at my house in 1847 who had been, I believe, very bitter enemies previously. In 1846 we were on good terms, and I think also at the latter end of 1845.

316. Mr. *Villiers.*] After you had sent home that despatch describing the great prosperity of the colony, you were on good terms with the colonists?—Yes, certainly. Mr. Rose and Mr. Croal dined with me and the members of the Court of Policy and of the Combined Court.

317. Mr. *Adderley.*] Did you send full information to the Secretary of State of the great unpopularity of the measure for the abridgement of the apprenticeship?—One half of the planters were for the abolition of the apprenticeship, and the others were against it.

318. You say that the main cause of the difference between the colonists and yourself was the great unpopularity of that measure. Did you fully represent to the Home Government the great unpopularity of that measure?—I do not know that I did, but I dare say I did.

319. I cannot find it in the despatches?—Then I could not have done it.

320. Then the Secretary of State was not informed of the unpopularity of that measure?—I do not know. All I can say is, that a vast number of the apprentices had been freed; several proprietors had begun to release them before the abolition took place. Mr. Glynn was one of them, and Mr. Holmes was another.

321. Major *Blackall.*] Am I to understand you to say that you did not communicate to the Colonial Office the unpopularity of the proposed measure?—I do not know that I did not.

322. What I understand you to say therefore is this, that you do not recollect the contents of all the despatches upon that subject, and that without referring to them you cannot say whether you did or not?—No. I most probably did.

323. *Chairman.*] Do you think the number of public offices is not somewhat too great for the necessities of the colony at present?—Not at all.

324. You cannot suggest to the Committee any means by which the general expenditure of the colony can be diminished?—I have told the Committee that 100,000 dollars were put down in 1847 for immigration purposes. There are many other charges that can be reduced; I cannot tell at this moment what they are, but I feel certain that at least 200,000 or 250,000 dollars might have been reduced in that estimate which I gave up *pro formâ* to the Combined Court for them to decide whether they would pass the supplies or not.

325. Have you sent any despatches to the Colonial Office suggesting what diminution in the expenditure of the colony might be adopted?—I have said that 100,000 dollars might have been taken off the estimate for immigration purposes and others. There were 10,000 dollars put down for an ice-house. There were 1,000 dollars voted to some gentlemen for publishing a pamphlet,

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and there were 700 dollars put in for the printing of that pamphlet. Depend upon it if they had chosen to take off such items they could have reduced that estimate 25 per cent.

326. Mr. *Hume.*] Am I to understand you to state, that for the 10 years you were in the colony, and for 10 years before that, the colonists have always been at variance with the government?—Yes, always. In the time of Sir Benjamin D'Urban the supplies were stopped for two years, though the King's chest sufficed in some degree to pay some of the officers.

327. During the 10 years you were in the colony, you have stated that the principal objection arose to you when the abolition of the apprenticeship was proposed?—Yes.

328. After that, what was the next point of difference, or were there any other points of difference between the colonists and yourself?—I think the chief thing was with respect to immigration; not giving them the number of immigrants they wished, but only proposing a certain number of immigrants; I have no idea why they disliked me in fact.

329. You do not know of any one specific objection that was taken to your government?—I do not.

330. Were there any written protestations laid before you by the colonists during that time as to objections entertained by them against your government?—I do not recollect any particularly; if there had had been, they would have come home, therefore they must be in the Colonial Office.

331. It is fresh in your recollection that during the 10 years you were Governor of the colony they always differed from you; what I wish to learn from you is, what were the points of difference?—I do not at all recollect; one great objection I think was that I appointed some aides-de-camp, who did not please a certain set. I found some aides-de-camp, and I did what I had done when I commanded in the Leeward Islands, I appointed those of my predecessor. Then one man wanted to fight me because I did not ask him to dine with me.

332. Mr. *Villiers.*] As far as I understand, the proposition made by the colonists to the government, or at least, what they have stipulated for, it is a reduction of 25 per cent. in the expenditure?—A reduction of the civil list.

333. There is no doubt about the fact, that that is what they suggest?—That is what they require.

334. Is that the ground upon which the supplies have been stopped?—Yes.

335. You are of opinion that the expenditure can be reduced?—Yes.

336. Do you go to the extent that the colonists do?—I think they can reduce it at least 250,000 dollars, that is, 25 per cent., or almost to that amount; one-fourth of 1,080,000 dollars.

337. Would that reduction be in the salaries of the officers, or in what way could the expenditure be reduced?—Not in the salaries of the officers; in the public expenditure of the colony.

338. In what way would the reduction be made?—If you will give me the estimate I may be able to show the Committee what items might be struck off.

339. Do you agree with the colonists as to the mode of reducing the public expenditure 25 per cent.?—No.

340. I believe the colonists are for reducing the salaries of the officers?—The civil list; first, they have to reduce those who are not upon the civil list; I say they should not reduce either those on the civil list or those not on the civil list; they can do it by other modes.

341. It is in respect to the application of the public money that you see your way to the reduction of the expenditure?—It is in the application of the public money.

342. You are not prepared to state the precise mode of reduction?—No; I told the Secretary of State that I considered they could reduce the estimate 25 per cent. without touching the salaries upon the civil list.

343. Do they agree with you as to the reduction of the expenditure that was proposed; you say they wish to reduce the salaries of the public officers; you have another mode of reducing the public expenditure 25 per cent.; as they are anxious for a greater economy do they agree with you in your proposed reductions?—It never entered into my head to speak to them upon the subject.

344. You did not communicate with them as to the mode of economising the resources of the country?—Not at all; I had no time for doing so.

344.* Did you leave them when you quitted the colony under the impression that you were not for reducing the public expenditure?—That I do not know; the colonists take care to think as they like.

345. They had in some official form represented their wish to have the public expenditure reduced, and they had suggested the mode of doing it?—Their mode was to reduce the salary of every public officer 25 per cent.

346. But they had put that proposal in some official form?—They had.

347. You were made cognizant of that before you quitted the colony?—Yes, and I sent it home.

348. You differed with them in that, but you did not tell them in what way the expenditure might be reduced according to your view?—It was of no use. The object was to cut down the civil list and the salaries of the public officers.

349. The colonists were so far agreed that the expenditure ought to be reduced before the supplies were voted?—That was the proposal of the court; I must stand and see what it would come to. No proposal of mine, or any one of my officials, would have had any effect when they had determined to stop the civil list and to make the bone of contention the reduction of the salaries upon the civil list.

350. You do not consider that the supplies ought to have been stopped?—Certainly not; they had no reason for it, and they have suffered for doing it; they have lost 400,000 dollars in less than four months, which have gone into the hands of the traders.

351. What was your reason for wishing the expenditure to be reduced; was it the prostrate state of the colony?—I did not care about it.

352. You thought it a matter of indifference?—It was perfectly right that it should be reduced, but when they had themselves shown a great deal of extravagance I considered it was not the saving of expense which they desired, but that it was with the object of attacking the government there that the proposal was made.

353. You thought the colony still in a prosperous condition?—I thought the colony in a most prosperous condition at that time, and it was my duty to state to the Government that it was so; and I should say that the colonists can have no fault to find with me for not having put their case fairly before Government.

354. You thought the colony in too prosperous a condition for the supplies to be stopped on such a ground?—When I speak of the colony, I mean the labourers were too well off.

355. You consider that they were able to vote the supplies?—Perfectly able; and the country would perfectly have supported it, or I should not have done what I have done.

356. The Committee have learnt from you that the colony was, according to your opinion, in a very prosperous condition in 1845?—That is to say, the interests of the colony and the prospects of the colony were advancing; but I have always said that gentlemen who have mortgages upon their estates, and cannot get money sufficient to pay off the interest of those mortgages, in the course of time must lose their estates; and that has been going on for some time.

357. You were induced to make that representation to the Colonial Office, upon evidence which you had collected in the colony of its prosperity?—Yes. If you take in this country one class of people, the people of Barnstaple, for example, who make a particular description of manufactures, they may fail, and yet the other parts of the country may be very properous. The whole colony of British Guiana is one mass of villages, the inhabitants of which are all payers of indirect taxes.

358. You have heard extracts read from your despatches in 1845 and in 1848; will you be so good as to inform the Committee when the colony began to decline?—The moment the money market was not open to them, and when the labourers struck work, and money was not found to pay them; and when agitators went among them to induce them not to work for the planters. I have stated that in my despatches to the Secretary of State.

359. You also referred to your own advice to the colonists not to make contracts with their masters?—That was at the beginning. The Order in Council of the 7th of September 1838 forbade contracts for more than 28 days.

360. You also stated, that you tried to enforce upon the labourers the propriety of not making contracts with their employers thinking they might be hardly

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used ?—Not at all because they were hardly used, but to give them that perfect liberty which the British nation intended them to have and wished them to have, and which it was my duty to carry out.

361. Will you explain to the Committee what sort of contract you thought it objectionable for a man to make with his master ?—Contracts for twelve months or for three months ; I did propose contracts for three months, but I do not think I could have carried it into execution : a man had no sooner made his contract than, if he disagreed with his master, he would go 150 miles off to the other end of the colony.

362. Upon what principle did you interfere between master and man, recommending the labourer not to make a contract with his master ?—I doubt whether I particularly interfered myself further than by saying to the stipendiary magistrates, that the men had better not enter into such contracts ; in the first place I knew it would be useless.

363. What was the objection to a man binding himself to work for a master for three months ?—Because he will not keep it.

364. That is the business of the person contracting, is it not ?—Yes.

365. The labourers were encouraged to think it was against their interest to contract with their masters ?—I doubt that ; certainly nothing I said or could say was of that description. If you will read the addresses which I made to the labourers, you will see that in passing through the colony I told them exactly their condition, that they had nothing but their hands, those hands were their industry, and for those hands they would be paid ; and if they asked too much for their hands they would not be able to get work.

366. One of the great difficulties which the masters have is getting continuous labour, is not it ?—It is.

367. If the people will not make contracts to labour for their masters, that is one reason why the masters cannot procure continuous labour, is it not ?—Not at all ; they would not get it if they made those contracts, or else you would have to keep them in gaol.

368. How is it that when a man makes a contract, the Governor must keep him in gaol ?—If the contract were allowed to be made, and he broke it, he would be brought up before a stipendiary magistrate.

369. Am I to understand you to say that no man would make a contract with a master ?—I do not think many of them would ; I do not think one in a hundred would do so.

370. Then why was it necessary for the Governor to interfere to prevent it ?—At first it was necessary.

371. Before they understood their rights ?—Before they understood their rights.

372. Since they have understood their rights the master has not been able to obtain continuous labour, is not that so ?—They have learned their rights pretty well, I think.

373. But they were instructed in them first by the Governor ?—I dare say it was so ; I find it is written in one of my despatches that I recommended them not to enter into contracts.

374. You have alluded to certain agitators ; what instructions did those agitators give to the labourers ?—Not to work for less than a certain amount of wages.

375. The Governor advised them not to contract for a certain time, and the agitators advised them not to work under a certain rate of wages ?—At a distance of eight years from my giving that advice you must not bring my statement about the contracts into connexion with the other ; that was not later than 1838. I say that the people were worked upon, and particularly in those parts of the colony where the population was thickest there were a set of men who got money of them by telling them of their rights, and that it was necessary to be firm, and not to work ; and they did not work, I think, at the end of 1847 or the beginning of 1848.

376. They did abstain from making contracts after they were advised not to do so, did they not ?—No contract was lawful for more than a month, therefore it was of no use to attempt it.

377. Sir *J. Hogg*.] In 1838, when you interfered to prevent the making of contracts for any period beyond a month, was there any order from the Colonial Department

Department regulating contracts in that respect?—There was the Order in Council of the 7th of September 1838.

378. Have the goodness to tell the Committee what the purport of that Order was?—That no engagement should be entered into for more than 28 days.

379. Then you were acting upon the orders of the Colonial Office?—I suppose I was.

380. Mr. *Villiers.*] The Government interfered to prevent contracts, and that Order was generally obeyed by the labourers?—They would not have done it whether they had been recommended not to do it or not. I must have advised them, but I do not particularly recollect what particular steps I took to advise them. I think it must have been that the stipendiary magistrates had orders from me to read the Order in Council to them.

381. Will you tell the Committee how soon after 1845, when there was this great prosperity in the colony, the agitators began to advise the labourers not to work under a certain rate of wages?—I will find in the despatches at what date it was. I cannot recollect whether it was the latter end of 1845 or not; at the latter end of 1845 I wrote a despatch.

382. Describing the prosperity of the colony?—Yes.

383. After a certain time the labourers wanted more wages?—They wanted to prevent the reduction in the wages, not to obtain more wages.

384. The Committee have gathered from your evidence that this was a sort of fictitious prosperity; that there was a great deal of speculation; that a great deal of land was brought into cultivation which had not been cultivated before, and that that was done by people who had not sufficient means to carry it out?—I believe a great deal of it was so; but take one-half of the ruin which has taken place, supposing the other half of the whole population are happy, comfortable, and contented, doing pretty nearly what they like, provided they do not break the law, would not you call that a prosperous country? The greater part of the taxation is paid by them.

385. You said you had discovered that this prosperity was fictitious; that it was very much owing to borrowed money, and that the people mortgaged the estates to pay the purchase-money?—I think such speculation will always produce ruin. The fall in the price of sugar did not suffer them to cover their expenses, nor give them any profit to pay off their mortgages; and of course if they cannot borrow money they cannot pay their labourers or carry on their estates.

386. The cultivation was very much extended after 1845, was it not?—Yes; according to the reports I have had. I cannot answer for the unfaithfulness of my officers. I know that people whom I have always respected in that colony, and who succeed at this moment, have told me that the cultivation had been extended in consequence of the introduction of labourers. The introduction of labourers from India began in 1844; from that time a continual stream of immigration was flowing into the colony, and of course labour was much more easy to be obtained. It also had the effect of making the labourers themselves alarmed, and they worked better.

387. Labour was abundant, and money was plentiful?—Labour was abundant in proportion to the past, and money was abundant.

388. Was the crop very abundant in 1847?—It was a very fair crop. There was one year of drought, which, I think, was the year 1846; the next year was then a very fair crop, one of the best since the emancipation. I believe the crop of 1848 also was a very large crop, even larger than that of 1847; but if you cannot continue your cultivation, those crops must diminish.

389. The crop being very abundant and the prices fair?—The prices of 1847 I believe were so small that they could not pay they could not pay their expenses, a great many of them.

390. It is since 1847 that you have observed what you call the prostrate condition of the colony?—I think since the middle of 1847.

391. What course has been adopted in the colony in consequence of the fall of prices and of this over cultivation?—A great many planters have given up, as I understand.

392. What estates have been abandoned; have they been those that had been more recently taken into cultivation, or some of the more exhausted estates?—I think the great abandonment of estates has taken place since I left the colony; some estates sold at a very small price before, but even that price was too much

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to last, if a man did not feel he was going to make money by his purchase; there are estates now that will not sell for anything.

393. You can give the Committee no particulars about the state of the colony after the fall of prices?—It took some little time before the despair of any amelioration began.

394. You have stated that the people generally have been well off, notwithstanding those circumstances, since 1847?—Generally; I believe so.

395. And you are of opinion that the resources of the colony are quite sufficient to meet the taxation which is imposed upon it?—Ample.

396. To what do you refer then their indisposition to vote the supplies?—To a determination to make the present Government re-impose their protective duties. That is their sole object, and nothing else.

397. Has that reason been assigned openly and avowedly at all by the colonists, or anybody representing them?—I do not think it is fair to make one give names, but it was as well known in the society and community of British Guiana as the meetings of the House of Commons here.

398. You arrived in the colony at a time when there was great discontent because the system of apprenticeship was cut short?—Great discontent existed with a particular party. I had two out of the five with me.

399. Do you think their language and conduct generally were more violent then than they have been since?—I think their reply to me was not treating me fairly. But they have greatly improved both in language and manner and respect to the Governor since I first went there.

400. Then their conduct and language were more violent when they were dissatisfied upon the last occasion than they are now?—In 1838 they were.

401. It was after 1838 that they were all in good spirits and prospering?—In 1845 they were, when they found that immigration was opened to them.

402. They have fits of depression and despondency as well as periods of prosperity?—Certainly.

403. They have stopped the supplies before, you say, I think?—Very often upon the most trifling occasions.

404. Those things happen occasionally in that colony?—They have happened particularly in British Guiana.

405. You do not recommend, on this account, then, any peculiar regard to be paid to what they desire?—Not upon the principle upon which I know this reduction has been proposed.

406. The Committee have had detailed to them a list of places which are remunerated very highly; are you acquainted with all those places?—Perfectly.

407. Are you of opinion that those places should be maintained and that the salaries should not be reduced?—I am.

408. You think them all to be essential to the colony?—I think so.

409. Are there many persons in the colony who agree with you in that opinion that all those places should be maintained, and that the salaries should not be reduced?—I do not know; I find a great many people opposed to the proposition, exclusively of the officials.

410. Has the present state of things been a subject of general and great discontent while you have been in the colony?—Not at all.

411. It is only recently it has been so?—Only recently; I never heard of it before. Most of those places are places that bore a much higher salary in former days.

412. In the days of slavery?—In the days of slavery and in the days of emancipation too.

413. I suppose you would be of opinion that if the salaries could be reduced it would be a relief to the tax payers?—I do not think they would: they would put it on in something else.

414. Do you mean that they would create other places?—No; not places, perhaps, though they have created a great many places themselves.

415. Sir *J. Hogg*.] Has the Court of Policy control over all the places and the salaries with the exception of the civil list?—No.

416. Who has then?—The Governor and the Government.

417. Excluding the civil list, could the Court of Policy reduce either the amount of the salaries, or if necessary, abolish the places themselves?—I do not know that they could. There are so many superintendents of rivers and creeks, so many gaolers, so many attached to the penal settlements.

418. My

418. My question alludes to all appointments not specifically included in what is termed the civil list?—I do not think there is one that they could do without; I do not know how they are to get on without their present number of officers.

419. Could the local government reduce the salaries of the existing officers, not including those on the civil list?—I do not think they should. They can do it.

420. My question is not as to the propriety of their doing it, but my question is, have they the power of doing it?—They have perfect power; they can strike off everything.

421. The Court of Policy has a control over all places and all salaries not on the civil list?—The Combined Court has the power; they can do away with the salary, and the place will not be held by a person who does not get a salary.

422. And they can do that irrespective of the wishes of the Governor?—Irrespective of the wishes of the Governor in every instance; and they have done it.

423. They have that wholly within their own power?—It is wholly in their own power to reduce the salaries of any officers not on the civil list.

424. You spoke of the prosperity of the great mass of the population; do you think that prosperity could continue if the condition of the planters were greatly reduced?—If the whole body of planters were destroyed, it is very possible that the labourers would not receive money; but in spite of all that is said about the ruin of the colony, which is acknowledged to be in a very bad state, there will be a certain number of people who will buy the estates, and spend money; and the labourers will then get money, and so will be able to pay the taxation.

425. Do you not think that the condition of the labouring population of British Guiana must, to a great extent, depend upon the prosperity of the planters, whoever the planters may be?—Certainly, in order to have luxuries, but not in order to have necessaries. If they had no luxuries certainly there could be no payment of taxes. They can live upon what their lands afford them, and live well, and carry on a system of barter; but some will have money, therefore there will be money in circulation, and that money will go towards luxuries. I do not mean to say that if the colony were actually reduced to what has been said of it, a state of determined ruin, they could pay for luxuries what they now do, from having high wages.

426. Supposing the cultivation of sugar in British Guiana were entirely destroyed, what effect would that have upon the labouring population of the country?—The certain result of that must be that there would not be much money afloat.

427. You spoke of a prevailing custom in 1838, that the people purchasing sugar plantations were not men of capital, but that they made purchases almost entirely with borrowed capital?—With credit.

428. And that the rate of interest and the extent of commissions and of charges bore them down?—Yes.

429. What was the rate of interest prevailing in British Guiana, and what was the amount of commission and charges?—Six per cent. was the rate of interest; then you find a merchant got the sugar; he had his commission, and that amounted, according to the information which I had, and which I believe (though it possibly may not be true), to from 17 to 25 per cent.

430. So that a man buying an estate with borrowed capital suffered to the extent of from 17 to 25 per cent. as far as your impression goes?—That is my impression, and if there were any arrear of interest at the end of the year it was added to the original debt.

431. And formed compound interest?—And formed compound interest.

432. Was that a new system introduced into British Guiana in 1838, or was it a system which had prevailed in British Guiana and in most of our West India possessions from almost the time we have had them?—It was an old system.

433. Mr. *Hume*.] You have stated in answer to a question, that the object of the colonists in the late disagreement, was to compel the Government to rescind the repeal of the protective duties?—I consider that their opposition to the civil list, and the determination to reduce it 25 per cent., was to embarrass the Government and to make them re-impose those protective duties.

434. That is your deliberate opinion?—Yes.

435. Did you not preside on the 30th of December 1847, at an adjourned meeting of the Court of Policy?—I dare say I did.

 436. Did

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436. Did not Mr. White, a member, submit to the Court of Policy a series of resolutions upon the state of the colony ?—Yes.

437. Is it not stated in the second paragraph, " that in consequence of the recent measures of the Imperial Government, the value of the colonial exports has diminished to an alarming extent, and cannot be estimated at more than 3,500,090 dollars ?—Yes.

438. Look farther down and you will see it stated, " that under these circumstances of distress and exhaused resources, it has become a matter of imperative necessity that an extensive reduction should be carried out in every branch of the annual expenditure ?—Yes.

439. You were present when that was stated ?—Yes.

440. Did not the resolution proceed, " that the civil list of 1841 amounting to 39,072*l.*, was founded upon the presumption that by the commercial relations of the mother country slave labour should be excluded ?—Yes.

441. Is it not further stated that the civil list of 1841, renewed in 1844, was agreed to on the presumption that that policy should be maintained ?—It is said so.

442. Is not it further stated, that if the colonists had had any idea that that policy would not have been continued they never would have renewed the civil list of 1844 ?—It is said so.

443. You heard that stated ?—I heard it stated.

444. You have said that the object of the colonists was to compel the Government to re-impose the protective duties ?—That was the covert meaning of it.

445. Was not the first resolution come to by the Court, " That the present civil list ought to be reduced at least 25 per cent., and that Her Majesty's Government be therefore solicited to authorize his Excellency the Governor to sanction such reduction on every item of the civil list " ?—Yes.

446. The second resolution is, " That a searching and rigid economy is imperatively necessary in every department of the public expenditure, so as to adapt the various institutions to the altered circumstances and reduced means of the colony; and that all salaries exceeding 700 dollars per annum should be reduced in a corresponding ratio with the reductions in the civil list " ?—Yes.

447. Did not you state at the last examination that their object was to reduce the civil list, and nothing else ?—I correct myself if I did.

448. Did you understand at the time the resolution was passed that it was the intention to reduce all salaries as well as those on the civil list ?—Yes.

449. Were those resolutions carried ?—They were carried by the unofficial members.

450. Were they carried according to the usage of the court ?—I do not think they were; it is the usage of the court where officials do not choose to give any opposition, that the thing is carried, but if I had chosen I could have struck it off the minutes of the court, and sent it home.

451. Are the Committee to understand that the Court of Policy is a nullity unless the Governor chooses to sanction its proceedings ?—Not at all; upon all points of discipline, and on all points in which the Crown is concerned, the Governor has a right to exercise his casting vote.

452. In what way was the Crown concerned in keeping up those high salaries, not speaking now of those on the civil list ?—I do not think the salaries were high.

453. In what way was the Crown interested in preventing the reduction of all salaries above 700 dollars each ?—The Crown did not at all prevent it. The Minister of State writes out to say, You may do what you like; put the civil list aside; keep that clear, and you may do what you like with the rest.

454. You were asked on a former day whether, if the Court of Policy could have proceeded to reduce the other salaries, they could not interfere with the civil list ?—My answer must have been that the Combined Court had not power to do it.

455. It was ordered, " That the Governor be respectfully requested to transmit a copy of these resolutions to the Secretary of State for the Colonies;" did you, agreeably to that resolution, transmit the same ?—Yes, certainly.

456. Did you preside at the court held on the 29th of February 1848 ?—Yes; I suppose that that was the date, from what I see here.

457. Do you recollect that a resolution was proposed to the following purport: " That it appears to this Court that it is premature to enter upon the framing of the estimate,

estimate, inasmuch as the state of the colony at present is such, that no estimate that could be framed could be taken as a guide for the expenditure of the country for the financial year 1848 and 1849; and therefore it is expedient to postpone it until it be seen whether the circumstances of the colony become changed for the better before the 15th of May"?—Yes.

458. Was that resolution carried?—I did not object to it.

459. Was not it carried?—I believe it was passed without any particular discussion. "After some discussion, the Governor consented to postpone bringing up the estimate if the elective members would embody in writing and at length their reasons for requesting it."

460. Who prepares that estimate?—The Governor.

461. At that meeting of the Court of Policy you proposed to bring up the estimate which you had prepared; the estimate of expenses for the year?—Yes.

462. In opposition to that the resolution which I have now read was put?—I conclude that it was so. I was very desirous not to get into a discussion with the Court of Policy while there was any hope of obtaining from home instructions from the Secretary of State, and therefore I willingly yielded that point, and did not bring up the estimate at the time, as they objected.

463. Did you preside again upon the 1st of March at another adjourned meeting?—Yes.

464. Did you bring forward the estimate afterwards, and at what period?—I cannot exactly remember the date, but I had very good reasons for doing so.

465. What were those reasons?—Because I found that the unofficial members of the Court of Policy chose at once to enter upon the question themselves, and say what they would do, and therefore it was my duty to see what they could not do, and I accordingly brought up the estimate for the Combined Court.

466. Did not the court protest against your bringing the estimate forward, as being contrary to the agreement entered into when the resolution was passed upon the 29th of February?—Certainly they did. I allowed it, and they agreed to the estimate. The estimate was only brought up *pro formâ*, to give me an opportunity of going to the Combined Court.

467. In what way was it agreed to; was not it carried by your own two votes?—Yes.

468. Against the opinion of the elected members?—Yes, that has often happened.

469. And that was the case although you had agreed to the resolution to postpone bringing up the estimate till the circumstances of the colony should be changed?—Undoubtedly. That was to give the Secretary of State an opportunity of knowing the circumstances; but when I found that without waiting for that they brought forward resolutions that they would not pass the supplies, I determined to see whether I could get them to do it.

470. Was there any meeting held after that at which there was a refusal to grant supplies before you brought in the estimate?—You will find resolutions here to that effect. The reason I brought in the estimate was because I had expressed a determination to do nothing, on account of reading some despatches from Lord Grey.

471. Did you lay before the Court of Policy a despatch from Downing-street, dated 15th February 1848?—Certainly.

472. On what day was that laid before the Court?—I suppose it was the very first convenient meeting of the Court of Policy; the 10th of April it appears to have been.

473. Do you recollect these words in Lord Grey's despatch, acknowledging your despatch of the 30th December, communicating the resolution of the Court of Policy of the 30th of December, the same day; his Lordship says, "I have to acknowledge the receipt of your despatch of the first ultimo, transmitting a copy of certain resolutions passed by the Court of Policy on the 30th December last, praying, in consequence of the distressed state and unfavourable prospects of the colony, that Her Majesty's Government will sanction a reduction of 25 per cent. upon the salaries fixed by the civil list, and on all salaries of 700 dollars and upwards." Going on: "I request that you will inform the Court of Policy that I am unable to concur with them in the proposed reduction of salaries in the civil list." Do you recollect that being read?—Perfectly.

474. Did not that cause great dissatisfaction in the Court of Policy?—I have been

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been so used to scenes in the Court of Policy that I do not at all recollect whether it did so or not. I suppose they spoke upon the subject.

475. Do you recollect their expressing dissatisfaction strongly in your presence at that meeting?—I dare say they did. Whether they did or did not it would not, I think, tend to any particular explanation of the whole course of policy which I pursued.

476. After reading that resolution, passed when you were present, and that answer of the Secretary of State, are you prepared now to repeat your assertion that the object of the colonists was only to cause a reimposition of the protective duties?—That is my firm impression.

477. Though the colonists distinctly state, that in their distressed situation, their produce being reduced in value to three millions of dollars, with a taxation exceeding one million, or one-third of that amount, they were unable, from those circumstances, to bear those expenses, do you still express and adhere to that opinion?—I believe that that was one of the main reasons, and that they were urged to it from home.

478. You now admit that it was the main reason, and therefore not the only one?—It was the principal reason.

479. Then there may have been other reasons?—I dare say there were, but I considered that that was one of the main reasons, to attack the Government at home.

480. Did not the colonists protest against your carrying an estimate by the authority of your own votes, by which the colony was to be subjected to those large salaries, notwithstanding the reduction in the value of their produce?—Certainly they did.

481. You paid no attention to their protestations, but persisted in continuing the charges?—The reasons given here were sufficient to lead me to consider it my duty to place before the Combined Court an estimate for the purpose of determining at once whether they would or would not pass the supplies. I considered myself warranted in doing so by certain resolutions of the Court of Policy.

482. Did they not propose to grant for a limited period what you wanted, waiting the determination of the Government upon certain applications which they had made?—They proposed six weeks, if I am not mistaken; I considered that to be not enough.

483. You refused that application?—Yes.

484. Why did you so refuse?—Because I did not think it was a period long enough.

485. Might not the period at the termination of those six weeks have been renewed, and so the conduct which has taken place have been, by a little prudence, prevented?—Not at all, in my opinion.

486. Have you any reason to believe, or have you any proof to show that the Court of Policy were not sincere in their desire to effect a general reduction of all the expenses to suit the state of the colony?—My opinion may be wrong, but that is my opinion.

487. Have you not yourself admitted that there was a great depreciation in the price of produce?—I have.

488. Does not the income of the colonists depend upon the sale and the price of their produce?—The income of the planters does, but the planters are not the sole tax-payers.

489. Do you recollect addressing the Combined Court of Policy on the 20th April to the following effect, "It is evident," says Governor Light, "that if exportable produce be not made, there will be no wages paid; and we may well pause to ask the creole population if they have reflected on the condition to which they will be reduced should labour cease to be required"?—I said that for the purpose of warning the creole population of the effect of asking too much wages.

490. Did you believe in what you stated?—Of course if I said it I believed it.

491. Do you consider that the planters were in a condition to pay those taxes in their state of adversity which they had agreed to pay in their state of prosperity?—The planters had had their taxation reduced from three to one per cent. The whole of the direct taxation paid by them was 46,000 dollars, out of 1,080,000 dollars.

492. At what time was that?—In 1847.

493. For what purpose is the Combined Court appointed; is it not to manage the pecuniary affairs of the colony?—Yes.

494. The Combined Court met and expressed some opinions, did not they, as to the necessity of economy?—After my speech.

495. Are the Committee to understand that there was any difference of opinion in the Combined Court as to the necessity of economy and of reduction?—It is evident there was not.

496. But you, notwithstanding the opinion of the Court of Policy, and the opinion of the Combined Court, did not think it right to concur in those opinions?—They proposed a period of six weeks, and I required three months, and it was determined that it should be three months; but two or three days before the time they reduced it to six weeks. I had calculated upon three months in order that Her Majesty's Government might have time for serious reflection. It is not, I think, too much to give the Minister of so great a nation as this, with all he has to attend to, two or three months' time to consider such an important matter. And if I had given six weeks they would not have passed the vote for three months, as they did afterwards.

497. Do you recollect that on the 11th April Mr. Rose moved, "that the consideration of the estimate," which was then brought in, "be postponed until the 15th May, in conformity with the resolutions of this Court, passed on the 29th February last, and also for the reasons assigned by the elective members, which, at his Excellency's request, were placed on the minutes of the court on the 1st day of March last"?—I perfectly recollect it.

498. Does not it appear that the votes on that occasion were equal, the five elected members voting against the estimate, and the government secretary, the collector of customs, the Attorney-general, the Chief Justice, and yourself, the Governor, voting for it?—Yes.

499. The numbers being equal?—Yes; and the Governor always has a right to give a casting vote.

500. Does not it appear that you gave your second or your casting vote, by which that estimate was carried, every one of the elected members protesting against such proceedings?—I did.

501. Do you consider that that course being taken by a Governor is likely to promote peace or conciliation where parties are complaining of your bringing on a proposition, instead of waiting as the resolution of the 29th of February had pledged you to wait till the 15th of May?—A Governor is placed in a position the difficulties of which no member of this Committee can know, and he must be a judge of the reasons at the time for his conduct. Upon those reasons I acted, and it was my duty to do what I did.

502. Upon the 11th of April a protest is put into your hand by the elected members, "We the undersigned elected members of the Court of Policy, enter our solemn protest against the proceedings of the court this day." That is, when the estimates had been carried by your double vote, "because proceeding with the estimate is in violation of the resolution of this court, dated 29th February, wherein the court postponed the consideration of the estimate until the 15th of May 1848." Can you give any reason why, when on the 29th of March a resolution had passed with your sanction to postpone bringing up the estimate till the 15th of May, you should have forced the estimate upon the 11th of April contrary to that resolution?—On the responsibility of the Governor of a British colony I did what I thought was right.

503. Do you consider that upon the responsibility of a Governor a violation of a fixed resolution may be made?—I deny that it was a violation of it.

504. Will you have the goodness to read again the resolution of the 29th of February, "That it appears to this court that it is premature to enter upon the framing of the estimate, inasmuch as the state of the colony at present is such that no estimate that could be framed could be taken as a guide for the expenditure of the country for the financial year 1848 and 1849, and therefore it is expedient to postpone it until it be seen whether the circumstances of the colony become changed for the better before the 15th of May." Did not you, contrary to that resolution, which received your sanction, bring up the estimate upon the 11th of April?—Yes.

505. Then to repeat the question which I before put to you, what reason had you to violate that resolution and force on the estimate by your double vote, against the direct resolution of the previous court and against the protest of

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parties in the court?—By reading the Minutes of Proceedings E. page 7, it will appear that the unofficial members of that court declared that they were willing to renew the present tax ordinance for a limited period: "The distressed and utterly prostrate condition of the colony having rendered it necessary for us to decline being parties to voting the estimate for the financial year 1848–49, for the reasons stated in the resolutions submitted to the court this day; we now declare our willingness to renew the present Tax Ordinance for a limited period." And that I knew would be for six weeks; I therefore thought it my duty to assemble the Combined Court to see whether the public feeling would not make them hesitate before they threw the colony into the confusion which must naturally result from the stoppage of the supplies; it was my duty to set to work immediately, and I did so.

506. You have read the resolution expressive of their readiness to renew it; will you see whether any limitation as to time was given?—No.

507. Then what ground had you to doubt the honesty and fairness of those members?—It was in my own breast.

508. Can you recollect any reason why you should have violated the express understanding which had been come to?—If the Honourable Member means to indicate what a governor ought to do, he must place himself in the position of the governor there, having had an experience of ten years, five of which were passed in a constant state of dispute with the four or five men who ruled the colony.

509. Is not it the most likely way for a governor to keep good fellowship with a community, to maintain the resolutions which are agreed to, and the good faith which is supposed to pass between them?—Supposing that failed? I knew this was only a postponement of the evil day, and I determined, therefore, to take time by the forelock and bring the evil to its crisis. I regret very much I did not do so at the time when I allowed the estimate to pass over to the 15th of May; that would have given the Government more time to act.

510. You admit that the resolution of the court of the 25th of February, agreeing to postpone bringing up the estimate till the 15th of May, met with your approbation?—I had no objection to it, because there was time, and I should have let it remain had not it been for what Mr. Rose brought in on the 10th of April.

511. Did you not, on the 29th of February, concur in postponing the estimate till the 15th of May; and, pending that pledge, did you not, on the 11th of April, bring forward that estimate, and force it through the court by means of your casting vote?—Certainly I did; but that had nothing to do with the resolutions putting off the estimate till the 15th of May.

512. Do you not consider that that act was a violation of the resolution agreed to on the 29th of February?—Not at all.

513. On the 11th of April did you receive a despatch from Lord Grey?—I do not recollect; I ought to have received it by the latter end of March.

514. The members protesting assign as a reason "because proceeding with the estimate is in violation of the resolution agreed to on the 29th of February;" you state that you do not consider that as a breach of faith?—Certainly not; I was actuated then by certain circumstances which had taken place since the agreement; my despatch gives my reasons for it.

515. Did not those elected members state to you that the colony was even in a worse condition than it had been on the 29th of February?—I am perfectly aware of it.

516. They say that the whole creole population, not more than 7,000, are at work, and those in many districts at the old rate of wages?—There may be two opinions as to that.

517. You are aware that there was very considerable difficulty in getting labour at that time?—In getting money there was; from 20,000 to 25,000 is the utmost of the regular labourers in the colony.

518. In February 1848 you admitted that the colony was in a state of considerable prostration?—Yes.

519. On the 10th of April had it improved or not?—Not at all.

520. Then it continued still distressed?—Yes.

521. Did not the elected members of the Court protest against your proceedings as illegal and unconstitutional?—They may have done so; I had the two officers of the Crown with me.

522. You had their protest in your hand?—They did so; but they had very often

often done the same, and my view of it was different; and besides that I had the Attorney-general and the Chief Justice, who thought that my proceedings were not illegal.

523. You were fortified by the legal officers against any such charge?—Yes.

524. The legal officers supported you in carrying the estimates on the 11th of April, although you had concurred in opinion upon the 29th of February that they ought not to be produced till the 15th of May?—Certainly.

525. By what rule has the Governor a double vote; is there any regulation or any power in his appointment which gives it him?—Yes; the Governor has a casting vote in all courts of which he is president. Till there were Judges the Governor was president in the courts of justice, and he was president in some other courts, and being president in the Court of Policy he always used to exercise his double vote. It is only on certain occasions however that the Governor does exercise it, and it is done with great discretion by the Governor, and only in those cases where he considers it to be his bounden duty. In one instance there was a very excellent ordinance, which was afterwards brought in by the unofficial members themselves, which I thought so necessary for the benefit of the public and of the planters that I carried it by my double vote, and it was disallowed. Eighteen months afterwards when a great deal of mischief had been done, the non-official members found it necessary to have such an ordinance, and they begged me to bring it in again, which I did.

526. To what ordinance do you allude?—As to the stipendiary magistrates. That I mention only to prove that the double vote is used with great caution.

527. Do you understand that the double vote applies equally to financial matters as to others?—It may be so; but it has been disallowed or rather disused. I think in the Combined Court, if you look at it as a practical point or as a point of legality, the Governor could use his double vote; but he has never done it.

528. In this case the elected members state, "Because every item of the estimate has been carried by the casting vote of His Excellency, which, in matters of finance, is unconstitutional, illegal, contrary to the usage of this court, and opposed to every principle of sound legislation." You received that protest?—Yes.

529. Did you pay any attention to it?—I was determined to have that estimate passed through. The estimate in the Court of Policy is almost a matter of form, because the Governor has no more power over the items, except those on the civil list, than any Member of this Committee. Being determined to carry it, and to bring the subject to a crisis, we began taking down the votes upon every item. This would have lasted three or four days. It was then suggested that, as I was in the right, we should pass the estimate, and give the unofficial members the opportunity of protesting against it. They knew that I did not think it illegal or unconstitutional, and they had said that they did. I had all my official members thinking with me, and they had their unofficial members agreeing in their protest. The estimate is brought in annually before the Court of Policy, almost in the same terms as the old estimate. They are all printed; there are a few things added in writing; and if it is the sense of the court, they strike off or add anything. Then it is brought into the Combined Court, who pull it to pieces, while the Governor can do nothing. He is able often, with the officials, to give effect to very beneficial things; but it is not to be supposed that the Governor has done anything unlawful or unusual in passing that estimate.

530. Are the Committee to understand from you, that beginning to take the votes item by item, the elected members voted against every item in every case?—Yes.

531. You have stated that the Governor, generally speaking, has little to do with the estimate?—Nothing at all, except that it is brought up as a matter of form by the Governor, as the budget is by the Finance Minister in England.

532. It is brought up to be approved of by the Court of Policy, is not it?—You may find people voting for an item which they will strike off in the Combined Court. I thought it as well at first to put down items which I thought might be useful; but after two or three sessions I found it to be of no use, and I let them put on or take off what they liked.

533. Upon this occasion you carried the estimate as it was?—Yes; I carried

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it for the purpose of having to say to the Combined Court, Gentlemen, that is the estimate for you.

534. You say the interference of the Governor with the estimate is very rare?—Very rare indeed.

535. But upon this occasion, when every item was opposed, you thought it right to interfere?—Yes; and I might have interfered in every session that I was there.

536. You communicated those documents to the Secretary of State for the Colonial Department, did you?—Everything.

537. Have you received an approbation of your conduct upon that occasion?—I am Sir Henry Light, K.C.B., never having made any application or having an expectation; I have had the approbation of Lord Grey, and I am very proud of it.

538. Has he by any despatch approved of your proceedings on this occasion?—I have received a general approbation of my conduct; an approbation of my conduct went out to Governor Walker as I was coming home.

539. I understand that the honour you have received from Her Majesty you take to be an approval of all your conduct?—Certainly.

540. Major *Blackall.*] You have stated that the planters are not the only tax-payers in the colony; whom do you look upon as the principal tax-payers in the colony?—The labouring population.

541. That is, in indirect taxation?—Yes.

542. Upon what do the labouring population depend for getting money to buy the luxuries which they consume?—A great deal upon barter. They have a great deal of vegetables to sell. They cut wood and make charcoal.

543. They do not depend upon daily labour for their support?—For not one quarter of it.

544. Looking to the grievances complained of by the inhabitants of British Guiana, do you see any method of remedying them by any change in the constitution or form of government?—No; except by making a Council of Government, of which the Governor is the chief.

545. You state that in the year 1845 the colony of British Guiana was in a very flourishing condition?—Yes.

546. Has it since that time been gradually decreasing in prosperity?—From the moment that you had the money crisis in England, and the low prices of sugar began, it began to decline.

547. Were there any measures taken at the time that those circumstances happened to decrease the prosperity, to lessen the price of labour in the colony?—They endeavoured to do so, and they would have done it, but a man who wanted his crop taken off, by paying a few cents more than his neighbour would obtain the labour, therefore they could not all succeed in reducing the wages. A great many people did reduce their wages, but it was not general.

548. I am to understand that since the year 1845 the price of labour has not materially decreased in British Guiana?—From what I have heard I think that common field-labour they get for something more than 1*s.* a day at the present moment; between that and 1*s.* 2*d.*

549. Does the price of labour rise considerably at the period of crop time in British Guiana?—No; they are all willing to cut canes. They differ perhaps a bitt, which is 4*d.* One part of the colony pays 12 bitts and another part 10 for a certain number of what they call cords of wood, which are something like the cords of wood in France.

550. You have not heard any general complaints of the want of labour during crop time in British Guiana?—Not particularly.

551. Mr. *Adderley.*] Are the Committee to understand that, with your present information, you do not think you were under any misapprehension as to the prosperity of the colony between 1840 and 1845?—There were three months of general stoppages in 1842, during which the planters lost a great deal. Then there was a great drought in 1846.

552. Are you still of opinion that the colony was prosperous in 1840?—I think so, generally. There was no reason for despondeney at all at that time.

553. Do you conceive, with your present knowledge, that the representations of prosperity which you sent home in 1840 were not too sanguine?—I think not at that time.

554. The Committee understand that you based your opinions chiefly upon the

the sums of money which were given for various estates?—Yes, and besides that there were other reasons which I cannot bring to my recollection, which made me think the colony prosperous. The imports were increasing, the tonnage was increasing every year, the customs were increasing; everything, in fact, was increasing; and you do not find that, unless there is some sort of prosperity in a colony.

555. The two reasons which you assigned for your opinion as to the prosperity of the colony in 1840, on the last day, were, that the colony continued to pay its taxation, and that proprietors had no difficulty in purchasing estates?—Certainly.

556. At the same time you knew that those estates were not paid for?—If you get them you are supposed to pay for them; how was I to know whether they were paid for or not?

557. You stated that one symptom of prosperity was the facility of raising money?—Yes.

558. Do you recollect who was the purchaser of the Peter Hall estate?—A man of the name of Bagot.

559. What situation did he hold when he made the purchase?—He was in the registrar's office.

560. Was he a person who was likely to have the means of paying for such an estate as that?—I do not know whether he could get the money or not.

561. Was he a person likely to have an amount of credit by which he could raise the money?—He got credit, but he lost his place for it; he took advantage of an execution sale which he supposed would work according to what had been a very common custom in the colony; he bought the estate in chancery, as it were. A clever lawyer in former days, till the laws were reformed by me, was enabled to keep an estate for five or six years without requiring any money to be paid for it: he gave bills, which bills in former days were not capable of being touched till the sentence of the court was given; but in consequence of the alteration of the laws those ways of evading payment are abandoned; sentence was given, and that estate was lost to the purchaser.

562. Did not Mr. Bagot sell another estate, which he purchased in lots, to the negroes?—He sold it in lots and was not able to give a title to it, and I believe the labourers bought it themselves.

563. Without a title?—No, they got out a title.

564. How was that?—I do not know; with respect to the management, the sale, and the working of estates, the Governor has nothing to do except as connected with the administration of justice, and in that respect he is answerable for anything that took place.

565. Was not there a question in the colony at the time with respect to that transaction?—The man was dismissed for some act which was considered to be wrong; I am not sure whether it was for the purchase of the estate.

566. Can you state from your own knowledge whether those negroes were ever protected from loss in that transaction?—Not that I know of. The Governor has nothing to do with that.

567. *Chairman.*] Was not Mr. Bagot the acting registrar of the court when he purchased the estate?—He was.

568. Was not it his duty to receive proper securities for the payment of the money?—I dare say it was, but the fact was that all the public officers bought estates, and the Governor never interfered.

569. It was the duty of the registrar to receive proper securities for the purchase of the estate, was not it?—It was.

570. Did not he accept bad securities, he being the registrar and the purchaser of the estate?—That I do not know; I had nothing to do with his acceptances.

571. He was the purchaser of the estate, and he was the registrar who was to receive the securities?—Yes.

572. The securities turned out to be bad?—In the end I suppose they did.

573. Did not he keep possession of that estate for many years without paying for it?—Not for many years; he did what has been done 500 times. When you bought an estate at an execution sale you could keep it in chancery, it might be, for 10 years without being called on to pay 6 *d.*

574. Did not he retain possession of that estate for five or six years without paying for it?—After he lost his place, I fancy he did keep it.

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575. Did not he pay all the expenses of the lawsuit against him out of the profits of that estate?—I cannot answer the question.

576. Mr. *Hawes.*] But he was dismissed, was not he?—He was. Some matter was brought up against him, though there was nobody to complain of him; the chief registrar did not complain. There was nothing in which fault could be found with him in that purchase; it was some other matter that took place which caused his dismission.

577. He was the deputy-registrar, was he?—Yes; he was acting registrar at the time.

578. Mr. *Adderley.*] Considering that a number of those purchases which you alluded to as the ground of your opinion that the colony was prosperous, have turned out to have been transacted by insolvent men, do not you now think that the ground upon which you represented the prosperity of the colony to the home Government was deceptive?—If you could see into futurity you would take care to wait till a thing happened before you gave your opinion upon it.

579. Now you can see into futurity, do not you think that the ground upon which you represented the colony as prosperous were deceptive?—I will not say so; there may have been many other reasons which might have been given for the prosperity of the colony. I think that in 1840 I was perfectly justified in giving that opinion.

580. Now that you know the consequences, you do not think you were deceived in the views which you then entertained?—No. I consider that there were a great many things combined afterwards to make the people lose not only the confidence of the merchants at home, upon whom they relied, but there were many circumstances of mismanagement which brought about a want of regular and continuous labour.

581. Are you still of opinion that all those purchases which you spoke of were *bonâ fide* transactions?—At that time they appeared to be so, but they were not so. There was one estate upon which a man had a mortgage of 38,000*l.*; he was allowed, after holding it six or seven years, to give it up to the persons holding the mortgage, who will not get 1,000 pence for it, he receiving 1,000*l.* besides.

582. Mr. *Hotham.*] Has the Governor of British Guiana the whole of the patronage of the colony?—Entirely, except in the case of the collector of the rum duties.

583. With that exception the whole of the patronage is in his hands?—Yes; if the Governor choose to persist he could obtain the patronage even of that office.

584. As well the offices on the civil list as those which are not within his patronage; is that so?—I can recommend for appointment; in case of a vacancy I can select anybody I choose to be Chief Justice even; but otherwise I recommend to the Secretary of State.

585. Of a certain amount of patronage you have the absolute disposal?—The Government has.

586. All the appointments are recommended by the Governor, and approved of by the Secretary of State?—Yes, except some local appointments in the towns.

587. With the exception of a few of a smaller nature, the whole of the appointments are recommended by the Governor, and approved by the Secretary of State?—Yes.

588. Mr. *S. Wortley.*] I understood you to say that you believed the hostility to yourself had arisen from the abridgement of the period of apprenticeship?—I think that was one of the chief reasons, at least.

589. I find that in your despatch of the 28th of April you write, "I well said to your Lordship that had I considered my own case I should not have risked what is now passing, but I really thought that even distress would not have made the immediate change in the apparent goodwill which all parties seemed to have towards me." Referring to that passage, am I right in supposing that whatever feeling of hostility may have existed towards you in the year 1838, or shortly after the abridgment of the apprenticeship, that had subsequently subsided?—I think it had; between 1845 and 1848. I do not mean to say that there was ever a general hostility against me.

590. Am I right in understanding from that passage of your despatch, that previously to the recent distress of the colony there existed a good feeling towards

towards you?—Yes, inasmuch as people came to my house that I never invited before.

591. Whose duty was it to prepare the estimates?—Mine. It is the Governor's duty. The fact is, the largest items are always regular; there are a few items which are put in writing, and they are filled up in the Secretary's office, and then the Court of Policy put the figures to them.

592. That estimate embraces the whole public expenditure, as well that connected with the civil list as the remainder?—Yes.

593. It would be from you, as Governor, that would emanate any proposition for a reduction in any department of the public service?—Not necessarily.

594. In the ordinary course of things it would originate with you?—Not at all; in the Court of Policy, if a man objects to an item and he obtains a seconder, it is put to the court and they decide upon it.

595. A member of the court may make any objection to the estimate, but the Governor is the source to which the people would look for any proposition for a financial reduction, is he not?—Not at all so.

596. You were of opinion that a reduction might be made in the estimates, you say?—Yes; without reducing a single salary.

597. Have you written in these terms: "The estimate of last year may be very much reduced. One item alone, 100,000 dollars for immigration purposes, exclusive of what was proposed on loan, is rendered unnecessary by the liberality of Her Majesty's Government; the grants to the different parishes have been more than liberal. I feel certain that very nearly 25 per cent. may be struck off without diminishing the efficiency of the public service"?—That was my opinion at the time.

598. Having entertained that opinion, how do you account for your having submitted the estimates unreduced to the court?—Because I did not choose to go up without an estimate; the shortness of the time and the necessity for bringing the matter to a crisis made me take the old one; the Combined Court having full power to do what they liked.

599. If you were of opinion that the estimate might be reduced, how was it you did not make some proposition for the reduction of the public expenditure?—Because I knew it would be of no use.

600. Why would it have been of no use?—Because they had determined to stop the supplies.

601. The determination to stop the supplies had not become apparent till after estimate had been prepared, had it?—It was virtually stopping the supplies when they proposed allowing only six weeks.

602. That was not proposed till after the estimate had been prepared?—It will be very difficult for me to go over the same question again. The estimate was brought up by me, and there was a protest against it; I then summoned the Combined Court.

603. The estimate was framed before you were aware that they meant to stop the supplies, was it not?—I brought up the estimate of the former year, in fact.

604. My question to you was this: If you were of opinion, as Governor, that the estimate might with convenience be reduced to the extent of 25 per cent., why was not such a proposition made?—Because it was unnecessary.

605. Was not the colony at that time in considerable distress?—I have said it was.

606. I find Lieutenant-governor Walker, at page 56, in a despatch dated June the 24th, writes in these words: "It cannot be doubted that a general impression exists as to the amount of taxation levied being disproportionate to the resources of the colony, and that whenever the annual estimate is fairly before the court, serious, and there is some reason to apprehend extensive reductions, will be effected in all departments of the public service." Do you agree with Lieutenant-governor Walker that it was not only the opinion of the Court of Policy and the Combined Court, but the general impression, that the expenditure was too great?—Those are Governor Walker's opinions, and I have mine.

607. Are your opinions the same?—My opinions are still the same as they were, that they may reduce that estimate from 1,080,000 dollars to the extent of at least 250,000 dollars, without any reduction of the salaries.

608. You have rather mistaken the object of my question; it is this: Whether your opinion is the same as that which is here recorded by Lieutenant-governor Walker

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Walker, that it was a general feeling in the colony, and not only one existing among the members of the Court of Policy and the Combined Court, that the taxation was too heavy and the expense too burdensome?—Opinions gather like a snowball, as it rolls more adheres to it; that is dated on the 24th of June 1848. I dare say the opinion may have been since more publicly expressed; it was not so publicly expressed before I left the colony, nor when I had to deal with the Combined Court.

609. Is it your opinion that the desire for retrenchment was confined to the members of the Combined Court, or that it was the general impression?—I do not think it was the general impression.

610. You disagree with Lieutenant-governor Walker?—I disagree with Lieutenant-governor Walker, speaking of the time when I left the colony; but I left the colony in May, and the impression may have become much stronger since then.

611. Did Lieutenant-governor Walker agree with you entirely in the step which you took?—Entirely.

612. In a despatch of yours of the 28th of April you write thus: "It was my duty to stay while I might be of use; for though the Government Secretary is a most trustworthy person fully above other legislators in intellect, yet he might have yielded where I determined (how rightly I have yet to hear from your Lordship) not to yield." In that did you mean to express any disapprobation of the Government Secretary?—Not at all; on the contrary I recommended him to be made my *locum tenens* till a new Governor came out.

613. Mr. *Hawes.*] When you arrived in the colony you found a civil list existing?—Yes.

614. Will you state the amount of it?—I fancy it was about 19,000*l.* or 20,000*l.*

615. That had been arranged; the Crown giving up certain incidental revenues which it possessed, and upon a grant of those revenues the colony agreed to a civil list of 20,000*l.*?—Yes.

616. The civil list did not include many charges which exist at present, did it?—The clergy and the stipendiary magistrates.

617. Amounting together to about 14,000*l.*?—Yes.

618. Soon after you arrived, I believe the civil list ordinance which then existed was about to expire?—Yes, in the year 1840.

619. You arriving in the year 1838?—Yes.

620. In 1838 you thought it necessary to bring under the consideration of the Court of Policy, and the authorities in British Guiana, and also under the notice of the Secretary of State, the expediency of negotiating for a new civil list?—I did not mention it to the Combined Court; I did to the Secretary of State, I think, in 1839.

621. You proposed that the civil list should be about 36,000*l.*?—Apparently I did so. I do not recollect the circumstances precisely.

622. The Court of Policy objected to that, upon certain grounds, did they not?—They objected to it.

623. Was not the resolution which the court came to this: "That this court taking into consideration the increasing demands of the Government, as shown by the estimates read over, and the diminished amount of the resources of the colony, and the propriety and justice of all classes of society contributing, directly or indirectly, to the public burdens of the colony, is of opinion that duties upon all imports, including those of British production or manufacture, will afford the best and fairest mode of securing to the revenues a general contribution"?—That was in the year 1840.

624. You thought it expedient to resist that?—It was my duty to do so.

625. Upon which, failing to negotiate the civil list which you had proposed of 36,000*l.*, the Secretary of State, in order to effect the passing of a civil list, sent out Sir Henry Macleod?—Yes.

626. Sir Henry Macleod negotiated that civil list, and I believe for a sum of not less than 39,000*l.*?—Yes.

627. Exceeding that which you had proposed?—Yes.

628. That negotiation was more or less connected, was not it, with the passing of an immigration ordinance?—It was.

629. Was the immigration ordinance recommended by Sir Henry Macleod, or sent home by yourself, allowed?—No.

630. The

630. The civil list, of which Sir Henry Macleod procured the passing, included the clergy?—Yes; it amounted to 39,000 *l.*, of which 7,000 *l.* was for stipendiary magistrates.

631. I understand that the 39,000 *l.* proposed by Sir Henry Macleod included a charge for the clergy, which was not included in your estimate?—Yes.

632. You say that the immigration ordinance which was sent home by Sir Henry Macleod, or by yourself, was not allowed?—It was not; amendments were desired.

633. Was it sent home with a suspending clause?—No.

634. Then it went into operation?—I think it went into operation.

635. Without a suspending clause it would go into operation?—It would do so.

636. Can you, or can you not, state whether considerable immigration took place under it?—I doubt whether there was any very great amount of immigration.

637. The ordinance passed by Sir Henry Macleod was sent home without a suspending clause?—I think so.

638. And therefore it went into operation?—Yes.

639. And was the law, to all intents and purposes, in the colony?—Yes, to all intents and purposes, if it had not a suspending clause. I cannot recollect whether it was so or not, but it is easily ascertained.

640. You cannot state whether immigration took place under it, or not?—I cannot.

641. Subsequently, I believe, the ordinance was disallowed?—It was.

642. And that disallowance was accompanied by suggestions for its amendment, or for the introduction of another ordinance amended in uniformity with the views of the Secretary of State for the time being?—I believe so.

643. Were those amendments adopted by the Court of Policy?—I cannot say, for we have had so many immigration ordinances, so many changes, and such a determination not to do what the Government wished, that I cannot tell the Committee what those amendments were.

644. Was there another ordinance passed adopting those amendments?—I think there could not have been, because I know several successive immigration ordinances have been refused for containing objectionable matters.

645. Do not you recollect an immigration ordinance passing in 1843?—I dare say there was one allowing the Portuguese to come in; I think it was for nothing else. I do not know whether any others came in. There were so many immigration ordinances, that unless I referred to the dates I cannot say positively whether there was one in 1843 or not. I began with an immigration ordinance in 1839, and that was rejected.

646. *Chairman.*] Rejected by the Home Government?—Yes, it contained matter which was not according to the time.

647. Mr. *Hawes.*] Are not you confounding at this moment in your mind two distinct immigration ordinances. You sent home one which was disallowed by Lord Normanby?—Yes, I did.

648. Did not Sir Henry Macleod send home another, the result of his negotiations in connexion with the civil list?—Yes.

649. Was that disallowed?—Yes.

650. Are you sure of that?—Yes; at least it was not approved.

651. Who was the Secretary of State at the time?—Lord John Russell.

652. Did he not simply express his disapprobation of portions of it, and suggest amendments?—That I cannot recollect; I am quite satisfied of its disallowance, because I was called on to pass it, and I refused.

653. Do you feel quite confident that the second ordinance was disallowed?—Certainly that ordinance of Sir Henry Macleod was disallowed; the thing is well impressed upon my mind, because if I had sent that ordinance I should have had no Sir Henry Macleod there.

654. Your first immigration ordinance was disallowed, and then your difficulties began respecting the negotiation for the civil list?—Yes.

655. Sir Henry Macleod then came into the colony and obtained the passing of a civil list, and sent home an ordinance?—He did.

656. Will you state when that was disallowed?—Almost by return of the mail.

657. Here is Lord John Russell's despatch; will you have the goodness to read

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that, and state the substance of it to the Committee, and show wherein there is a disallowance of the ordinance which Sir Henry Macleod sent home?—It is evident there were alterations; I have confounded the disallowance with the alterations which became necessary; the doubt is whether they did not refuse to make those amendments.

658. Does not it appear clear that the ordinance was passed without a suspending clause, and was therefore in operation; and does it not also appear that that despatch to which I have referred you from Lord John Russell, in reference to this very ordinance, does not disallow it, but merely suggests amendments?—Yes.

659. The ordinance, therefore, was in operation?—It must have been.

660. But whether immigration took place under it or not, you cannot recollect?—I cannot.

661. The ordinance being in operation, when were the amendments which Lord John Russell suggested in that despatch considered by the Court of Policy?—That I cannot recollect.

662. Do you or do you not recollect such amendments being considered, and that somewhere about the year 1843?—I cannot carry my memory to that; there were so many immigration ordinances, so many discussions, and so many annoyances at the time, that I cannot call it to mind.

663. Do you recollect your correspondence with the Secretary of State when Lord Stanley was Colonial Minister?—I dare say I shall.

664. I have already called your attention to the despatch in which Lord John Russell suggests amendments; I think you have said you cannot charge your memory whether those amendments were considered by the Court of Policy?—No; it appears to me that nothing was done.

665. Suppose I stated to you that an ordinance professing to be so framed was passed, and that you announced it in your despatch of May 17th, 1843, would that bring it to your memory?—No; there were so many immigration ordinances passed, some allowed, some disallowed, and some to be amended, that I cannot charge my memory with the period.

666. In 1844 I believe the Court of Policy voluntarily renewed the civil list, amounting to 39,000 *l.* a year, for seven years?—Yes.

667. Was there any understanding or condition in connexion with that renewal of the civil list?—Not at all; because I granted the loan knowing that India was open. I immediately acted against the opinions I had always held before. There was then a chance of their wanting the money. Mr. Rose had negotiated with me through the government secretary, and I said I would willingly grant that loan. I believe it was Mr. Young, the government secretary, now Sir Henry Young, who negotiated the business. "The thing is agreed to," Mr. Rose said; "we have nothing now to quarrel about; let us have the loan, and we will renew the civil list for seven years."

668. *Chairman.*] Was not it on condition of getting a loan?—No.

669. Mr. *Hawes.*] In 1844 I understand you to say that Mr. Rose proposed a renewal of the civil list for seven years?—Yes.

670. And as far as your knowledge goes, there were no conditions or stipulations annexed to it?—No.

671. But there was a proposition, was not there, for the raising of a loan of 500,000 *l.* for the promotion of immigration?—Yes.

672. Was not that in any way connected with the passing of the civil list, in your opinion?—The Government determined that it should not be so, but in opinion they both went together; it was a mutual concession.

673. I will read to you a passage from Lord Stanley's despatch, and ask you whether you recollect it; this is a despatch from Lord Stanley, dated July 31st 1844: "It is no doubt necessary," continues the despatch, "when creating charges to a large amount on the revenues of the colony for the promotion of immigration, to take some security against the absorption by those charges of the funds applicable to the most essential purposes of the colonial government, and it is proper therefore that a civil list ordinance should precede or accompany that for raising a loan; but this being the only connexion between the two ordinances, it is contrary to the principles of legislation to make the operation of one expressly contingent upon that of the other: the civil list, if proper to be enacted at all, is equally so whether the loan be raised or not, though it would not be right that the loan should be raised without the enactment of the

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civil list. I should also observe that the civil list is only continued by the ordinance for about 10 years from the present time, whereas the drain upon the revenue occasioned by the loans would last for 24 years; it is therefore desirable that the two arrangements should be made co-extensive in point of time." Do you remember that despatch?—Perfectly.

674. What became then of the loan?—The loan ordinance was passed, sent home, and disallowed; the civil list was not allowed till the alteration had been made, so as to make the one not dependent upon the other.

675. Ultimately the loan was passed?—It was, and the immigration ordinance, which, like many others, contained things that were objectionable, and which we had to alter.

676. But still a loan was ultimately sanctioned to the extent that was required by the members of the Court of Policy, namely, 500,000 *l.*?—Yes, and upon the same terms, only the management of it was certainly not to be in the hands of the colonial section of the legislature.

677. But the loan was passed?—It was.

678. With regard to the negotiations for the civil list, in 1839 the immigration ordinance came into operation, which was sent home by Sir Henry Macleod?—Yes, in 1841.

679. And with regard to the subsequent renewal of the civil list, accompanied with the hope that the loan would be sanctioned, the loan was ultimately sanctioned?—Yes, and so was the civil list, voluntarily.

680. Then I need hardly ask you whether, in your opinion, there was any breach of faith on the part of the Government or of the Governor in reference to immigration or to the grant of a loan?—Certainly not, considering that they made it an accusation against the Government that it was a breach of faith not to give them protection against slave sugar.

681. *Chairman.*] Was not the immigration ordinance of 1841 virtually inoperative, except with regard to the Portuguese immigrants?—I cannot recollect. I do not think that Africans were brought in at that time. It has only been recently that Africans have been brought into the colony.

682. Nor could any coolies be brought from India?—No.

683. So that virtually the colonists might have considered that the immigration ordinance was of little use to them?—But it was of great use to them, considering that it was in operation.

684. If by it they could only get labourers from Madeira, it would not be of any great advantage to them, would it?—A very great advantage indeed, because those people worked remarkably well. They proved subsequently that they were not fit for the labour, because they died.

685. Did not the Portuguese government put a stop to the immigrants going from Madeira?—They did, upon my representation and that of the Court of Policy. They died so fast that common humanity led us to do it. The Court of Policy, although against themselves, proposed that the immigration should cease; it was afterwards allowed, after a long time, that a bounty should be paid between the months of October and May, I believe, or the months of September and May.

686. Those Portuguese immigrants have not worked as labourers upon the estates, have they?—They have done a great deal of good. They have pushed the negroes into the field, and prevented their being mere wandering hucksters; they are the great shopkeepers of the country.

687. Mr. *Hawes.*] With regard to the postponement of the estimates to May the 15th, respecting which you have undergone some examination, you consented to the postponement from February to May the 15th voluntarily?—Yes.

688. At the request of the members of the Court of Policy?—Yes; I considered there would be no harm in the postponement.

689. But subsequently, from what you heard, you changed your determination, and resolved to propose the estimates in the Court of Policy?—I did.

690. Do you recollect a despatch which you addressed to Lord Grey on the 18th of March, in which I find this passage: "Mr. Rose called on me to-day according to appointment; he confirmed what I heard; he stated that it was no factious feeling towards Her Majesty's Government, but from a full knowledge of the ruin awaiting the planters, and the utter impossibility of cultivating their estates at a profit, and the doubt of the cultivation of sugar being carried on, on the greatest number of estates during the year, the Legislature would leave the onus of providing the supplies to Her Majesty's Government; for although the

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estates having canes now ready for the mill might be enabled to profit by them, yet the planters would not nor could not keep up the cultivation for the ensuing crop; that being the case, the labourers would cease to obtain wages, and the imports would not sustain themselves for the support of the civil government and institutions. I hinted to Mr. Rose that your Lordship might probably think yourself justified in relieving the planters from the direct taxation, though that is very inconsiderable, one per cent.; but he said it would be of little or no relief, their credit was gone. Merchants who formerly gave them assistance, now refused it, and it would not be obtained again unless there was some prospect of a return; that return was hopeless while they were unprotected against slave sugar"?—Yes.

691. You considered, therefore, that the minds of the members of the Court of Policy were made up upon that point, that no relief afforded by the reductions in the expenditure would restore the colony to its former state?—At that time.

692. Did this communication influence you at all?—That and the resolutions in the Court of Policy. That despatch being written before, could not have much operated upon my mind. It was the resolutions of Mr. Rose and the unofficial members which made me determine to bring the matter to a crisis and carry the estimate before the Combined Court.

693. Had you or not come to the conclusion that it was the determination of the members of the Court of Policy to stop the supplies, with a view to obtain the reconsideration of the protection upon sugar?—I had.

694. There is another passage in that despatch which I will call to your attention: "The news by the mail brought, as I mentioned in my despatch, No. 45, date 16th instant, before the arrival of the steamer here, which gave the proprietary body no hope of protection, has created great despondency, and I learnt with regret the determination that was current, to throw the whole affairs of the affairs of the colony into confusion by stopping the supplies"?—I perfectly agree to what was said there, and confirm it. That was my opinion at the time.

695. You say you learned with regret the determination that was current; what did you mean by that?—As to the stoppage of the supplies.

696. Do you mean that it had been communicated to you in any formal way or in an informal way, by the influential members of the Court of Policy?—By influential members and by influential people, that they might out of respect to me pass it for three months.

697. You understood Mr. Rose to confirm that current report by what he stated to you?—Yes.

698. Had you any reason to suppose that Mr. Rose was in correspondence with influential persons in England?—I think he was.

699. *Chairman.*] What grounds have you for thinking so?—I have seen the letters.

700. Addressed to Mr. Rose?—Yes.

701. From whom did those letters come?—I do not think it is necessary for me to state that. I do not mean to say that they were shown me as a matter of great secrecy, but they were shown all about the town.

702. Mr. *Hawes.*] They were private letters?—Yes.

703. Sir *R. Peel.*] In page 12 in your despatch received the 5th of May, is this passage: "From the declaration made by the colonial members respecting estimate and supplies, I feel myself relieved from the consent I gave to postponing the consideration of the estimate to the 15th of May." What was the nature of the declaration made by the colonial members which is there referred to?—Their resolutions.

704. Those resolutions had not then received the assent of the members; there was only notice given of the intention to propose them?—I could not have written a despatch upon the 31st of March to say, in consequence of so-and-so I felt myself relieved from the consent to postpone it to the 15th; there must be something which is not here.

705. Mr. *Hawes.*] You are aware that the paper which you have in your hand is not an official paper, but prepared by parties in the colonies who are stating their case to parties in this country?—It is evident that there is something omitted; something must have passed to induce me to write that despatch.

706. With reference to the examination relating to the postponement of the estimates, and subsequently to your altering the time which was named, and bringing forward the estimates at an early day, will you look at the despatch of March

March the 31st, and make any remarks upon it which you think proper to offer to the Committee?—It was on Mr. Rose producing a string of resolutions which he intended to present for the court's adoption at its next sitting that I resolved to bring it to a crisis.

707. You considered that as an indication on the part of the Court of Policy of an intention to stop the supplies?—Yes, and I determined to see whether the good sense of the community would not prevent their cutting their own throats.

708. That is your justification for not writing till the 15th of May?—Yes.

709. Mr. *Hume.*] The resolution to which reference has been made was a resolution of the whole court?—It was a notice by Mr. Rose; one member had the management of the other four, and I was perfectly certain that what he proposed would be carried.

710. Sir *R. Peel.*] Supposing you had permitted him to move the resolutions, do not you feel pretty certain that with the aid of the official members you could have overruled that vote?—It would have been of no use; those proposed resolutions would have exonerated any man, I think, for bringing the matter to a crisis.

711. Mr. *Hawes.*] It was alleged when the court met that the state and condition of the trade and revenue of the colony was such as to justify a considerable alteration in the civil list, and it was proposed to reduce the salaries of the officers on the civil list and the other officers 25 per cent?—Yes.

712. In your opinion, did the revenue show that falling off, or was there such a decrease at that time as to justify that allegation?—There was the greatest increase.

713. The revenue had gone on increasing for several years, I believe?—Yes. I think there was a little alteration from 1846, which was higher than 1847, in respect of the wine duty, or something of that kind; but in all other respects, up to the time of my departure, the revenue was in a state of constant increase.

714. The imports were also increasing?—The imports were in a state of constant increase, therefore at that time there was no reason to make those reductions.

715. With regard to the propriety of reducing the salaries, the revenue of the colony of British Guiana may be estimated at about 227,000*l.* a year, may it not?—The estimate of 1847 amounted to 1,080,000 dollars, which is about 227,000*l.*

716. The amount of the civil list is nominally 39,000*l.* odd?—Yes.

717. I believe at the time of passing of that civil list the charge for the clergy was placed upon it by Mr. Rose and the colonial members?—Yes.

718. Amounting to 9,000*l.*—Yes.

719. Are you aware that certain pensioners have dropped off since?—One or two have done so.

720. About 800*l.* or 1,000*l.* a year is the amount of their pensions?—Yes.

721. I believe on the civil list is a charge of 7,000*l.* for stipendiary magistrates?—Yes.

722. Of that 7,000*l.* the colony pays only 2,500*l.*?—£. 2,500.

723. Do you recollect or can you state to the Committee the amount of the civil list, deducting the clergy, the contribution from this country, and the subsequent decrease of pensions?—It must be nearly 15,000*l.*, taking off the clergy.

724. That is a deduction from 39,000 *l.*?—Yes.

725. Leaving the civil list about 24,000 *l.*?—£. 24,000 or 25,000 *l.*

726. Upon a total revenue of 227,000 *l.*?—Yes.

727. With reference to all the other salaries except those on the civil list, and with reference to the general expenses of the colony, the Combined Court have the entire control over them?—They have.

728. And in the Combined Court there is a majority of unofficial members?—Always.

729. So that it would be in the power of the Combined Court at any time to take into consideration the reduction of expenditure, extending over the whole expenditure of the colony except the civil list?—Yes.

Martis, 20o die Martii, 1849.

MEMBERS PRESENT.

Mr. Hawes.	Sir James Hogg.
Mr. Adderley.	Lord Hotham.
Sir Robert Peel.	Mr. Hume.
Mr. Gladstone.	Mr. Villiers.
Major Blackall.	Mr. Wilson.
Mr. Stuart Wortley.	Mr. M'Cullagh.
Sir Joshua Walmsley.	

HENRY JAMES BAILLIE, ESQ., IN THE CHAIR.

Sir *Henry Light*, K. C. B., called in; and further Examined.

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730. Mr. *Hawes.*] I REQUESTED you to refer to your correspondence with the Secretary of State, both with reference to the civil list of 1840, and also with reference to the loan ordinance of 1844; have you taken an opportunity of doing so?—I have.

731. With reference then to the immigration ordinance, passed by Sir Henry Macleod, in consequence of his negotiation of a civil list, do you or do you not find that that ordinance contained no suspending clause, and was not disallowed?—There was no suspending clause, and it came into operation immediately; it came into operation upon the 20th of February.

732. Was the date of the immigration ordinance sent home by Sir Henry Macleod the 15th of February 1840?—Yes, it was proclaimed upon the 20th of February, if I am not mistaken.

733. *Chairman.*] In the Guiana Almanac the date is put down as the 18th of January 1841?—The negotiation took place in 1840. As soon as Sir Henry Macleod went away, which was about that time, it was allowed. It was not sent home with a suspending clause.

734. Sir *R. Peel.*] There must have been a certain day when the ordinance passed; what was that day?—My despatch, No. 23, dated 23d February 1841, states that No. 4 immigration ordinance, 1841, passed by Sir Henry Macleod, was carried into effect; it was passed in 1840 or the beginning of 1841.

735. *Chairman.*] It is stated here that an ordinance was passed upon the 18th day of January 1841?—That was passed by Sir Henry Macleod. That is an ordinance of which certain clauses were ordered to be altered, but still under that ordinance a vast number of immigrants came into the colony.

736. The ordinance would not be in force till it was proclaimed in the Gazette, would it?—No; the ordinance was carried out, and was in execution till 1843.

737. Mr. *Hawes.*] That ordinance came into operation?—It did.

738. And an importation of labourers took place under it?—In the course of nine months at least 7,000 were introduced.

739. Was that ordinance ever repealed?—It was repealed by another ordinance, according to a draft sent out by Lord Stanley, giving more favourable conditions, if I am not mistaken; but when the ordinance was returned, which made me make a mistake on the last day, certain clauses were recommended to be altered, but the immigration did not stop in consequence of that.

740. There was always an immigration ordinance in operation?—Always.

741. Down to 1843?—Down to 1843.

742. And from 1843 again to the time that the old ordinance was amended, still an immigration ordinance continued in force?—Always.

743. Can you state the total number of immigrants imported between 1841, when

when the new immigration ordinance came into operation, and 1847?—I cannot exactly; I sent home those returns; I should say about 16,000. From 1834 to the last return, which was 1847 or 1848, there were 36,000 immigrants brought into the colony.

744. There is a return of the immigration into British Guiana from 1834 to 1847 (*handing the same to the Witness*); will you state the grand total imported into British Guiana since 1834 in the first instance?—It appears to be 41,741; it is impossible to expect that a man should remember those figures.

745. Will you state the amount imported in each year since 1841, speaking from that return?—8,000 in 1841; in 1842, 2,655; in 1843, 550; in 1844, 918; in 1845, 3,631; in 1846, 11,519; in 1847, 7,719.

746. Making a total since 1841 of how many?—36,348.

747. *Chairman.*] You stated that Sir Henry Macleod's ordinance had remained in force, having no suspending clause?—Yes.

748. I find in the Guiana Almanac that on the 1st of August 1842 there was an ordinance passed to this effect: "Whereas upon the 18th day of January 1841 an ordinance was passed by Sir Henry Macleod, then Governor of British Guiana, by and with the advice and consent of the Court of Policy thereof, intituled, 'An Ordinance to regulate and encourage Immigration into British Guiana:' And whereas it is expedient and necessary that the said ordinance should be repealed; be it therefore enacted by his Excellency the Governor, with the advice and consent of the Court of Policy of British Guiana, that from and after the passing and publication of this ordinance the said ordinance of the 18th of January 1841 shall be, and the same is hereby declared to be repealed"?—This must have been an ordinance passed in consequence of certain instructions received, that such an ordinance should be passed; but this ordinance was replaced, if I am not mistaken, in 1843, upon a draft ordinance being sent out by Lord Stanley.

749. Mr. *Hume.*] It appears that the ordinance of the 18th of January 1841 is repealed by the ordinance of the 1st of August 1842; what took place between 1842 and 1843?—The ordinance was without a suspending clause; it only continued in force the former ordinance, with some amendments.

750. Mr. *Hawes.*] With respect to the ordinance which you have in your hand in the Guiana Almanac, can you state whether or not it was sent home and allowed?—Lord Stanley sent out an Order in Council enacting, that unless the necessary alteration were made in three months, the immigration ordinance was to be null and void. The consequence was that that ordinance was passed; It was then sent home. When that ordinance came home, Lord Stanley stated that as Her Majesty's Government had sent out a draft ordinance in regard to immigration, dated the 20th of March 1843, it was not necessary to confirm that; it was not disallowed; it was repealed by the new ordinance sent home.

751. Can you state to the Committee the nature of the objections taken to the ordinance passed by the Court of Policy, by Lord Stanley?—It gave powers which the Government did not choose to allow.

752. Were not they entirely constitutional objections as to the authority under which the money was to be expended, and not touching the question of immigration or the power of importing labourers under it?—Entirely so.

753. Therefore the ordinance of 1840 was in force at the time?—The ordinance of 1840 was in force down to 1842, and this ordinance was in force till Lord Stanley sent out the draft ordinance; and till the draft ordinance was embodied the immigration ordinance was always in full force, except at one time, in consequence of the wishes of the Court of Policy; the immigrants from Madeira were not paid for, but people got them by paying them; no bounty was given upon their importation.

754. *Chairman.*] Was there an Order in Council existing during the period from 1841 to 1843, prohibiting contracts with labourers being made anywhere out of the colony?—By an Order in Council, the 7th of September 1838, contracts were permitted to be made within the colony, and for one year. On the 23d of June 1841 contracts were allowed to be made in Europe. On the 4th of January 1843 they were allowed to be made in North America. On the 10th of June 1843 Crown colonies were permitted to amend contract laws. On the 28th of March 1846, when Mr. Gladstone was Secretary of State, contracts were permitted to be made for three years beyond the limits of the colony, contracts with Asiatics and Africans excepted; and on the 29th of August

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1846 contracts for one year were permitted to be made beyond the colony with Africans.

755. Sir *R. Peel.*] Did the Court of Policy take the objections of the Secretary of State to which you have referred into consideration?—They objected to them for a long time.

756. They objected to the suggestions of the Secretary of State, and declined to give effect to them?—Yes.

757. During that time did the ordinance still remain in operation?—Yes.

758. When was the period at which they did give effect to the objections of the Secretary of State?—Lord Stanley, by a despatch of the 2d of May, sent out an Order in Council, enacting that, unless the necessary alteration were made in three months, the immigration ordinance was to be null and void. Upon that the members who refused to pass the ordinance with those objectionable clauses out met; it was passed. Mr. Rose protested; the protest I do not recollect, but there it is.

759. As a compulsion to pass the new ordinance the Secretary of State threatened the Court of Policy, that if they did not pass the amended ordinance as he suggested, he would repeal the ordinance which was proclaimed upon the 20th of February 1841?—Yes.

760. What was the effect of the new ordinance which the Court of Policy consented to substitute for the former ordinance; did that cure the constitutional objection?—It did.

761. And left in operation all the other parts?—Yes, as far as I can recollect, it did.

762. Mr. *Hawes.*] Do you recollect the despatch of Lord Stanley, of the 2d of May 1842, which contains this passage: "Although it is impossible for Her Majesty's Government to sanction the alterations made by the Court of Policy in the original draft of the ordinance transmitted to you by Lord John Russell as containing the modifications and embracing the measure which, after mature consideration, Her Majesty's Government were prepared to sanction, it is satisfactory to observe that there is no difference of opinion in regard to the main provisions of the ordinance, and that there exists no contrariety of interests in this case to be reconciled"?—I perfectly recollect that.

763. Sir *R. Peel.*] Was there a protest?—There was a protest by Mr. Rose.

764. Singly?—Singly.

765. Was there any vote taken upon the amended ordinance?—Of course there was.

766. What was the majority by which it was carried?—I have not the minutes of the court.

767. Was Mr. Rose the only objecting party?—Apparently he was. It will appear from my despatches I sent it home with the protest of Mr. Rose against it.

768. Do you recollect whether the protest of Mr. Rose alleged that there was a departure from good faith in substituting the amended ordinance?—I have not the slightest idea.

769. Mr. *Hume.*] What is the nature of Mr. Rose's protest?—It was the usual protest, I suppose, objecting to what he considered not to be right.

770. Did that protest state any reasons?—I cannot remember; there was a protest.

771. Sir *R. Peel.*] When objections were raised and afterwards were overruled, was it the practice in the colony for one person to protest and to sign the protest; it being understood that that protest was made on the part of the whole minority?—It was considered to speak merely the individual opinion of the party protesting.

772. Sir *J. Hogg.*] If the others had coincided in the protest would they have subscribed their names also?—They would have subscribed their names; at least that is according to my recollection of what was the practice.

773. *Chairman.*] With reference to an answer given by you in your last examination, you were asked in Question 680, "Then I need hardly ask you whether in your opinion there was any breach of faith on the part of the Government or the Governor in reference to immigration, or to the grant of a loan." This is your answer: "Certainly not, considering that they made it an accusation against the Government, that it was a breach of faith not to give them protection against slave sugar." What had the question of slave sugar

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to do with your answer?—Perhaps it was an exuberance of my tongue; there was no breaking of faith in reference to the immigration ordinance.

774. Sir *R. Peel.*] In 1846 there were above 11,000 immigrants brought into British Guiana?—Yes, according to that return.

775. That was after those amendments were made in the ordinance?—Yes.

776. Could the effect of those amendments have been to throw any material obstruction in the way of immigration, if 11,000 immigrants were brought in as you say?—None at all.

777. You do not think substantially, though there may have been some constitutional objections, the alterations in the ordinance which were objected to by some parties in the colony threw any impediment in the way of a useful immigration?—Not at all.

778. Do you think that that was the sense of the colony before those other disputes arose:—I think so; in short it made the people exceedingly happy and in good spirits, and they were disposed to consider that everything was going on prosperously.

779. The fact is, that whereas in 1844 there were only 918 immigrants, the number increased to 3,631 immigrants in 1845, and in 1846 to 11,500?—Yes.

780. And that was under the operation of those ordinances, amended as they were?—Yes.

781. Mr. *Hume.*] Did not the alteration of the ordinances, which admitted of contracts being made abroad, cause that large immigration of 11,500?—I think not; the permission was to make contracts in Africa, I think, but those contracts were not made.

782. You think that the permission to make contracts out of the colony had no effect in occasioning that increase?—None at all, according to my recollection.

783. *Chairman.*] In the paper which you have read you state that in 1841 contracts were permitted to be made in Europe; were the colonists likely to get any immigrants to labour in the field from Europe?—No.

784. In 1843 contracts were allowed only to be made in America; were they likely to get any field labourers from America?—At one time we supposed we should get above 16,000 liberated Africans and refugee blacks from Canada.

785. Did you get them?—None; at least a very few came over.

786. Mr. *Hawes.*] In reference to the permission to make contracts in Europe in 1846 and 1847, you imported a very large number from Madeira, did you not?—A great number.

787. I find in 1846, 5,900 imported from Madeira, and in 1847, 3,700; I believe no contracts were made with those parties?—None at all.

788. *Chairman.*] But it was not possible to get any immigrants from India or from Africa without contracts, was it?—It was not possible to get them with contracts in India in 1844, when they first began to come to the colony. I was always against contracts for a long time till I found that the sort of people that were sent from India were many of them vagabonds and vagrants, and then I was very anxious that there should be contracts.

789. Mr. *Hume.*] You stated from your own knowledge that notwithstanding permission was given to make contracts in 1846 and 1847, no contracts were made?—To the best of my recollection there were none; there may have been a few from Madeira; if there had been any great number I must have recollected it. I do not think it was possible that any contracts were made.

790. Mr. *Villiers.*] At whose expense were the immigrants brought in?—It was defrayed by the general funds of the colony, to the amount, in 1847, of upwards of 300,000 dollars. Nearly 100,000 *l.* were taken out of the general funds of the colony for that purpose.

791. How were the labourers distributed when brought into the colony?—By the immigration agent coming to the Governor and taking his orders, and according to the wants and applications of the different proprietors on the estates, so were they dispersed. Whenever I gave to one estate and not to another, I had fifty attacks made upon me for not having thought of the other estates instead of the one which had the labourers given to it.

792. Are the immigration agents Government officers?—Yes.

793. There is no objection to the planters making contracts abroad, but the

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Government bring the immigrants and distribute them?—I always allowed the labourers to go where they liked; that was one of the first rules for the immigration agent. Families that wished to go together went together; people that wanted to go together went together.

794. That might leave some estates without any labour, might not it?—It might, but that was the case; I could not in any case make men go to one estate when they liked to go to another. That was one of the first objects in view, to give them a free choice whenever they came; the consequence was, that until I put a stop to it the agents were outside the bar of the river almost, endeavouring to seduce the labourers, like the Commissionaire in France do, saying, You come to my house or to my shop and you will be taken care of.

795. You did not interfere with that, did you?—Not at all; wherever they chose to go they might go.

796. Then the Government does not interfere in the distribution of the immigrants?—If they have not chosen any particular spot, of course it is the duty of the Governor and the immigration agent to put them on the healthiest spot; when I found places were unhealthy I did not send particular classes of immigrants there; for example, Bengal coolies were very well upon swampy soils; the Madras people who went on swampy soils suffered, and therefore I endeavoured to arrange the location according to the health of the place.

797. The planters are at no expense whatever in getting those immigrants?—Not a penny.

798. It has been done at the expense of the colony?—Yes.

799. Sir *R. Peel.*] What would have been the objection to charge the planter for the benefit which he individually derived from the immigrants?—I cannot say.

800. It would have lessened the expense upon the colony by those who received the privilege paying for it?—Considering the number of immigrants which I have allotted, planters in former days would have paid 3,000 *l.* for what they in fact got for nothing, therefore they had a very great boon; at one time they did pay, but then it was in consequence of a stoppage of means; there was some difficulty at one time before the immigration ordinance was in force which required that they should pay for them, particularly as to the immigrants from Madeira.

801. It must have been a very painful and invidious duty for the Governor to discharge, to allot the immigrants to particular estates?—Not at all.

802. Did not you say that it gave rise to great dissatisfaction; that you were charged with having shown favour to a particular estate in the allotments which you made?—What is the Governor there for but to consider what is right, and not to care for what may be thought to be unjust or not? He did his duty.

803. Was there any sort of estimate of the pecuniary value of the immigrants; when a man got 100 immigrants assigned to him, was there any sort of pecuniary value affixed to such an assignment?—According to the compensation, 50 Africans would have been worth 60 *l.* or 70 *l.* a piece.

804. Should you say that those emigrants were worth 40 *l.* a piece?—Not without contracts. I dare say if they had had contracts for three years they would have been very happy to pay a very considerable portion of the passage money.

805. Major *Blackall.*] Was there any fixed rate of payment per day for those immigrants?—In reference to particular ports, by the proclamation of the Governor, approved by the Government at home, the passage money from such and such ports was so much, and so in proportion from different parts of the world.

806. When the immigrants were apportioned to the different estates, was there any daily pay fixed for them to receive upon those estates?—The highest paid in the neighbourhood, according to their work.

807. Was there a general rate of pay throughout the colony, or did it vary according to the estates?—In some parts of the colony they got them cheaper than others; but one of the rules laid down from the Colonial Office was that in those contracts, when they were allowed to make contracts, a labourer, notwithstanding he had made an agreement to work for a certain smaller sum, yet on coming to the colony might demand the current wages of the place.

808. When you had appointed 50 or 60 of those people to one estate, were they bound to remain there for any time, at a certain rate of wages, or, finding that

that wages elsewhere were higher, could they leave that estate, and go to another?—Undoubtedly.

809. Mr. *Villiers.*] There was nothing to bind them to the place?—Not at all.

810. Could not they engage them for more than a week?—Twenty-eight days; but it appears that the planters at one time did not wish for it, and it was not encouraged by them.

811. Sir *J. Hogg.*] The planter and the labourer settle the wages between themselves?—They did; the Government had nothing to do with it.

812. Without any reference to any public officer or authority?—Yes.

813. Mr. *Hume.*] I asked you on the last day whether any engagement had been entered into or understood between the colonists and the Governor in 1840 and 1841, when the civil list was agreed to; I think you stated respecting the admission of immigrants your impression was that there was no agreement. Will you look at this paper, which contains the proceedings upon the 9th of April 1840 respecting that civil list. Mr. Arrindell makes this motion: "And whereas this Court cannot but view the sum demanded from the colony for a civil list, to commence on the 1st of January 1840, as excessive and severely onerous, yet nevertheless, convinced, as this Court is, that with immigration to the extent required the colony may confidently be expected to support a civil list commensurate with its extent and importance"?—I perfectly recollect that; that was not agreed to.

814. The third condition is, "That under such rules and regulations for their due care," alluding to the immigrants, "and comfort as may be deemed reasonable, all restraints upon the immigration of free labourers into this colony from all parts of the world unfettered by indentures be removed"; that is the special agreement on the part of the colonists?—Not a special agreement, because it was not agreed to.

815. That was their proposition?—It was their proposition.

816. The first arrangement?—The first derangement; it was not an arrangement; I refused it.

817. That was the proposition on the part of the colonists?—It was; I refused it because neither the Government nor myself could have consented to it.

818. Do me the favour to refer to Question 607 in your evidence of the last day; here is the civil list amounting to 240,000 *l.*, including the clergy. Will you have the goodness to point out what reduction to the extent of 250,000 dollars could be made, as stated by you, without interfering with the salaries?—In 1847 there was 100,000 dollars in addition to the interest of the loan placed in the estimate for additional powers for immigration. In 1847 the hospital expenses were about 60,000 dollars, but from the new arrangement of having estates' hospitals for immigrants, I presume 10,000 dollars would be sufficient; but if you suppose that I am able here to state what might have been done in 1848 you must give me credit for a great deal more knowledge of finance than I possess. Supposing however that the hospital expenses were 60,000 dollars, 10,000 at least might be taken away. There were 700 dollars paid to the secretary of the Board of Management at the hospital in consequence of the immense number of patients giving trouble to the hospital. I say that that addition was unnecessary. The police was 136,319 dollars, and it strikes me that part of that might have been struck off by some judicious arrangement; we will say 10,000 dollars. I beg leave to observe that I do not pretend to say here what are the particular items which ought to be struck off, but here is one: an ice house, 10,000 dollars; Artesian wells, 10,000 dollars, of which 3,500 dollars were voted; steam communication, 30,000 dollars. There were no means of having it, and therefore that might have been struck off. Then there is grant in aid of funds in Georgetown, 20,000 dollars; there were the salaries of three commissioners of roads, 7,500 dollars; including the 100,000 dollars for immigration, that would make 160,000 dollars which might have been struck off.

819. In the estimate before me there are only 50,000 dollars put down for immigration purposes?—There were 100,000 dollars put down for immigration purposes in 1847.

820. Sir *J. Walmsley.*] You stated that besides the dissatisfaction which arose in consequence of the abolition of the protective duties, which resulted in

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the stoppage of the supplies, there were other causes of dissatisfaction on the part of the colonists. Can you inform the Committee what those other causes were?—They could not get money.

821. Was that the only other cause?—I do not see anything else they had to complain of; they were getting immigrants as fast as they could.

822. Did any part of the dissatisfaction arise out of the restrictive nature of the elective franchise in the island?—Not at all.

823. Are you aware of any complaints on the part of the colonists on that subject?—A great many desired changes which could not take place.

824. Were those wishes pretty generally felt by the colonists?—I think one-half of them would rather like a council of government, but there were two parties. One wanted to have a council and an assembly, and the other, a very large and respectable body, wanted to establish the plan of government which I recommended in 1839, that there should be members for the particular counties and towns, both financial and unofficial. That was what I proposed, and what would have been carried only it did not suit certain parties there.

825. Who were the parties whom it did not suit?—Mr. Rose did not like it; he did not like the other, though he knew a more liberal constitution could not be allowed in the state of the colony, but he got it up; and there were two counter-projects; the one party contained a certain number of his adherents, and the other was proposed by people who got it up in the hopes that something would be done to take the affairs of the colony out of the hands of three or four people.

826. The proposition which you made, or would have carried if you could, would have given much greater satisfaction to the colonists generally, and Mr. Rose's only to a few?—Certainly the names attached to that petition which was before the Court of Policy showed that they were of a much higher class than those who wanted a council and an assembly.

827. How far in the present state of the franchise does that franchise extend, and what are the principles upon which it is enjoyed?—Certain annual payments of taxes; all persons paying certain rates are electors.

828. Paying a direct taxation of about 25 dollars, is not it?—I think to the amount of about 20 dollars.

829. How many voters are there in the colony?—I should say about 1,000.

830. How are they distributed?—Between Berbice, Demerara, and Essequibo. The largest number are in the towns.

831. How are the votes taken?—By being placed in a box; the ballot-boxes are open for a month. "I vote for so-and-so," is written by some persons who are among the leading parties, and signed. That is generally written out by one person, and signed by the different persons who give the votes. They are sealed and put into a box at New Amsterdam in Berbice, and another in Georgetown, in the secretary's office.

832. Are they collected by individuals who go round for them?—No; they are either collected by individuals employed in the interest of those who wish to get a particular member in, or else brought to the office and put in the box there.

833. Is it the general practice for parties to go round and collect those papers?—It is so; at least it was so.

834. Does real property of any kind entitle parties to a vote?—Certainly; any person having an income, or paying duty upon an income, has a right to vote.

835. Does real property without the payment of direct taxation give a right to a vote?—Not at all.

836. Does rental entitle to a vote?—No.

837. Neither rental nor real property entitles to a vote at all?—No; a man paying upon a certain revenue has a vote.

838. A man may hold 200 or 300 acres of land and not be entitled to a vote at all, may not he?—If he has an income he must have a vote; and I should think a man cannot have 200 or 300 acres of land without an income.

839. He may live upon an estate of 200 acres and have no vote, may not he?—I doubt it.

840. Is it the fact, or is it not?—I doubt it very much. I think every overseer, and every manager, and every attorney, and every proprietor has a vote; and worse than that, an absent proprietor has a vote; and if there are

50 different persons owning an estate, provided they come up to the mark for voting, the attorney or proxy may vote for all of them. I have known 60 votes given by one man.

841. That is by an attorney representing an estate?—Yes; and the ladies vote there too.

842. How many attorneys are there that represent large estates?—I am not aware of that. Some have had 10 or 12 different estates.

843. Lord *Hotham.*] Do you mean that 50 or 60 votes can be given by one property?—Not for one property; but an attorney votes by proxy, and he may hold 50 or 60 votes in respect of different properties.

844. Sir *J. Walmsley.*] What is the population of the colony?—The population is now about 130,000 inhabitants.

845. Are you aware what number of adult males there are?—The last census will give it; I cannot exactly tell it; I know that in Georgetown there are 1,000 more women than men.

846. Do you know how many freeholders there are in the colony?—I cannot tell; there is a return of it; there is a return of 20,000 freeholders, if I am not mistaken.

847. Do you know the number of renters?—Several estates were bought by negroes, and they soon found out the advantage of subletting, and that will turn out to be the greatest misfortune that can possibly happen. The renters are without end, composing the greater part of the population of the country in particular spots; I think on the east coast of Demerara there are upwards of 20,000 people where there formerly were not more than 10,000 or 15,000.

848. I think I gather from your answer that you do not approve of the system of absentee votes?—Certainly not; I tried to get rid of them long ago.

849. I also gather from you that you would abolish the Court of Kiezers?—Certainly.

850. What are the duties of that court?—Their duties are to obey instructions, but not those of the Governor; the instructions of whoever will lead them, and they choose whom they like.

851. I understand that the court sends two members to the Court of Policy, for them to select one?—Yes.

852. That is the only duty they have to perform?—That is all.

853. They have no other duties?—No; they are assembled by proclamation, and they meet, and they take an oath to choose good men and true.

854. Why were the sheriffs excluded from seats in the Court of Policy?—Because it interfered with their duties.

855. I suppose the sheriffs, from their position, are men of great experience and knowledge in the affairs of the colony?—The high sheriff of Demerara has been 40 years, or more, in the colony; he was assistant fiscal in Essequibo. The office of fiscal was done away with, and the high sheriff was named, and he has been high sheriff for the last 12 years; he is a man of standing, and of great respectability, but he has a great deal to do; he cannot sit in the court. And then he is a colonist; he owns an estate, and has to do with estates; therefore, I believe Sir Carmichael Smith thought it was as well to leave him free, and not to have him in the Court of Policy as an official member, where he might sometimes be obliged to vote in a way which might be misunderstood.

856. Would that apply to the other commissioners?—They have too much to do; they cannot be taken away from their duties.

857. Otherwise they would be very useful members in the Court of Policy, I presume?—They might be.

858. From their general knowledge of the affairs of the colony?—Yes; one of them was the sheriff of Essequibo, a very good man, but he did not suit the colony at first, and it was found very inconvenient to take him away from his duties; and Sir Carmichael Smith changed him, and put in some other person, the collector of the customs, which was allowed by the Government at home.

859. Is the election to the Court of Kiezers for life?—For life or residence in the colony.

860. Of whom do the Combined Court consist?—There are three bodies: the College of Kiezers, consisting of seven members; the Financial Representatives of six; and the Court of Policy, consisting of five officials and five unofficial

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official members, the officials including the Governor. No Court of Policy can be held without the presence of the Governor. The financial representatives, as well as the kiezers, are chosen by the whole of the electors of the colony; they are not chosen for particular counties or towns. Two names are chosen to sit in the Court of Policy by the College of Kiezers; those men are sent to the Court of Policy, and if the Governor chose he might select the one that suited him. That was tried, but it afterwards became a difficult thing to prevent the colonists having their own way, or rather the leaders of the colony having their own way, and so the Governor and officials just let in whom the kiezers pleased.

861. Has the Governor power to dismiss from the Court?—No; he may do as I did in 1843; they would not go on with the supplies, and there was an objection to a particular member; I considered it to be unjust to turn him out on the mere representation of a newspaper, and I found the only way of settling the question was to abolish or rather to dissolve the financial body; the Court of Policy always remain the same. The financial members were re-elected, having been sent back to their constituents; the objectionable man was not re-elected, so that I was able to get over that difficulty, but in any other case it would be perfectly useless to dissolve this assembly, inasmuch as they would be all chosen again.

862. Are there not certain commissioners appointed for doing certain acts throughout the colony?—There are commissaries of taxation, if the question refers to them, and there are commissioners of public buildings, who are chosen by the Court of Policy.

863. What are their duties?—To look after the bridges, to look after public buildings, and things of that kind.

864. Are they paid?—No.

865. From what portion of the population are they selected?—Generally from the upper classes; the high sheriff is one, some of the members of the Court of Policy, some of the kiezers, some of the financial body; they are indiscriminately selected.

866. But not paid?—They are not paid.

867. Who appoints the magistrates of the colony?—The stipendiary magistrates are recommended by the Governor; on a vacancy they are sent out from home; latterly they have been sent out from home.

868. How many stipendiary magistrates are there?—There are now 14, I think; there were originally 15.

869. How many magistrates are there appointed who are not stipendiary magistrates?—I can hardly say; I think there are more justices of the peace in proportion to the population than there are in this country, from necessity.

870. The planters are generally appointed justices of the peace, are they not?—Yes.

871. Is there any appeal from the decision of the magistrates?—Latterly there has been an appeal from stipendiary magistrates under a particular ordinance of a particular year; I forget what year, but there is an appeal to the inferior criminal court; the law is so fairly administered, however, that no appeal is ever made.

872. You would not think it necessary that an appeal should be given to the sheriffs?—The inferior criminal court has the power of hearing appeals upon particular awards by some of the late ordinances, but it is only lately that such appeals have been allowed, and there have never been any.

873. Have complaints come under your notice of the decisions of the magistrates?—Very rarely.

874. Have you known the people to be beaten or flogged?—There has not been a flogging for these eight years; there may have been a boy or a confirmed thief whipped inside the gaol, but as to the flogging of the labourers the error has almost been upon the lenient side.

875. What would be the effect of the introduction of a popular and extended system of the elective franchise?—There is no objection to a little increase of the elective franchise, but if you mean a popular constitution, with a council and assembly, and a responsible government, I say you might just as well attempt to have it among a set of ignorant uneducated persons.

876. Will you explain what you mean by that answer; do you mean that you would allow the whole of the colonists to vote, or would you exclude the negro

negro population?—You cannot introduce at present such a right. The labourers have the power of voting and they use it, but in the shape of a council and assembly it would be quite absurd to introduce it where there are 110,000 people who have, many of them, not an idea how to use such power.

877. Still you would have no objection to extend the right of the freeholders?—I have no objection to give them the right of voting, but we have had trouble enough in British Guiana for the last 20 years, and I think you would have a great deal more if you had a council and an assembly.

878. Would not the colonists willingly pay their own officers and their own expenses, if they had the privilege of electing their own officials?—I should be very sorry to see the colonists electing their own officials.

879. What would be your opinion upon the subject; supposing the colonists had the power to elect their own officials, would they not be willing to pay them?—If they fixed the salary one year and the officer did not please them they would reduce it the next; that is my opinion.

880. You do not think such a system would work well?—I do not think such a system should be allowed.

881. Did the court in 1837 and 1838 decide that the civil list should not be interfered with?—In 1839 they attempted to stop the supplies, because I would not grant an import duty upon British goods contrary to my instructions. They then threatened to attack the civil list and stop the supplies. They afterwards rescinded that; but they never had attempted to do away with the civil list or reduce it before this last occasion.

882. Did you decide that it could not be interfered with?—Certainly, and it cannot be interfered with, undoubtedly.

883. Is the sugar cultivation of the colony in a satisfactory state, as far as your opinion goes?—It was in as good a state as they could bring it to without those additions which I have been always so anxious about, ploughing and sub-soil drainage; I know nothing of agriculture; I only know that common sense proves that a wet soil will not give you so much cane as a dry soil.

884. Your opinion is that it could be greatly improved, and the produce very largely increased by the system of tile drainage instead of open drainage?—Certainly.

885. To what extent do you think the produce of the island could be increased, were such measures adopted?—The average produce of an acre, taking the whole cultivation, is from a hogshead to a hogshead and a quarter per acre; by thorough drainage and a proper system of agriculture they could produce three hogsheads. I know sometimes three hogsheads have been produced upon new land and very rich land without any aid at all, but it is well known that by a proper system of drainage the produce of the country could be trebled.

886. Then we should have a very prosperous state of the colony?—I should think so.

887. Could not tiles be made to a large extent by the prisoners, who now do nothing?—It was proposed that it should be done.

888. What is your opinion upon the subject?—I think undoubtedly it would be useful.

889. You think they could be supplied to a large extent by those persons, who now do no work whatever?—They do some work at the penal settlements.

890. Has the condition of the black population of the colony greatly improved since emancipation?—Very greatly improved; but latterly they have not been so obedient or so respectful, and they have learned too much.

891. Will you explain what you mean by too much?—They have been taught to consider the planters their enemies, and the Governor and officials their enemies too. That is the case with a great many of them.

892. What is the chief cause of that?—Agitators going among them.

893. Agitators, I apprehend, must have something upon which they must agitate; what has been the cause of that?—Jealousies have caused agitation. The moment I granted or came into the views of the colonists for the loan, I was said to be sold to the planters. That was taken up by a particular party; it is not necessary for me to state who they are, but they are a troublesome class, a radical class, who endeavoured to set the negroes against me and the

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public officers. The press told them, You are not to believe a word that the Governor says, or his officers.

894. Do many of the negroes possess property?—A great many.

895. To what extent?—Some of them have 50 or 60 acres of ground in provisions, which they sell, and live upon the produce.

896. You were understood to say that a negro could earn about 1 *s.* a day?—Many of them earn a dollar a day.

897. If they choose to work they can earn a dollar a day?—At such work as ditching and trenching they can earn a dollar a day.

898. Is that by task-work?—Yes.

899. That is, they can do so if they will?—Yes; they can gain nearly two-thirds of a dollar by performing two tasks, and finish their work in about seven hours.

900. Do they work well generally?—Yes; but they only work two or three days.

901. Do they work the entire day, and earn a dollar?—They cut so many canes, or they work at so many roods of draining; some can do it in six hours, some are eight hours about it.

902. What is the cost of living to a negro in the colony?—I think he can live upon salt fish, which is his great delight for common life, at about a guilder a week, which is about 1 *s.* 4 *d.*

903. So that unless he has some stimulant in the way of luxury he will not work more than that?—Then he pays his minister, that is, the dissenting minister.

904. Do the immigrants form any large portion of the pauper population of the island?—A very large portion. That is the coolies, and a great number of the Portuguese; but they are more inhabitants of the hospitals. The coolies are the great beggars. I took some pains to put an end to the practice; but they are still, in many instances, too idle to work.

905. Would the number of labourers required by the estates be greatly lessened by a system of horse husbandry?—Certainly.

906. In what proportion, do you think?—If we look to the Scotch system, under Mr. Smith, of Deanstown, where a man works with three or four ploughmen, and a dozen horses, 200 or 300 acres of ground, I should say the same system might be introduced into British Guiana; and had not this money crisis in England taken place, and had not there been such a difficulty in getting money upon that account, it strikes me a great many estates would have tried it, at all events upon a certain number of acres. Some of the proprietors have already sent for ploughs, and model ploughs were sent out by the agricultural chemist, Dr. Sheir.

907. Do you apprehend that a very small portion of the amount expended upon immigration, if it had been applied to horse husbandry, would have been much more profitably employed for the interests of the colony?—It appears so now.

908. In these questions I am rather looking to the future interests of the colony?—I am decidedly of that opinion; but that would not have suited, and indeed at that time I do not know whether it would have been feasible. There were particular reasons which prevented the planters taking it into consideration, and therefore the object was to bring in immigrants; but if they could at once introduce ploughing and thorough draining, their crops must be increased. There was an experiment made which gave 2 ½ hogsheads, under every disadvantage, when a neighbouring field of the same size did not give above 1 ¼; there, however, there was the best cultivation upon the one side, and very unsuccessful cultivation upon the other land, on which the thorough drainage was used.

909. Having called your attention to this subject, and being so decidedly of opinion that it would be desirable to introduce horse husbandry, have you considered how that could be applied?—I think if the Government could assist them it would be a very great thing, but I do not know how the Government is to assist them.

910. Without the assistance of Government could the colonists themselves carry that out; did not you say that the colonists have paid for this immigration?—Yes.

911. Did not you also say that the immigrants had cost a great deal more than

than a system of horse husbandry would have done?—I mean to say, that perhaps in the end the thorough drainage and ploughing would be the cheapest.

912. A system has prevailed in the colony of sending persons who are sick from Essequibo to Georgetown by small schooners; does that system exist at present?—Generally the estate boats bring up their people.

913. Do you condemn such a system?—I have always done so. I have endeavoured to have district hospitals, and tried to introduce them, and at last I did partially introduce them. They prevailed to some extent, and now it strikes me there will not be so many sent up.

914. What is the distance?—There are 30 miles of coast; then there are 20 or 25 miles of sea; the extent of the distance is about 55 miles.

915. Is it not frequently the case that a person sick of fever is sent in that way?—It has been so, and it has caused me great pain.

916. Have you represented that to the Government?—I do not know that I have done so. I have taken care to endeavour to correct it; every pains have been taken; the police have always been upon the look-out. But what steps are you to take? There is no law to prevent their doing it. The labourers themselves will come up. The coolies particularly have left estates and have wandered about trying to beg, or they will eat the common herbs of the country. They will fall sick; there is nobody to help them; they are found by the police and taken to the first hospital into which they can get admission.

917. You state in one of your own despatches that if a system of tile drainage instead of open drainage were employed it would be very greatly beneficial, not only in yielding a greater amount of produce, but would prevent the injury experienced by protracted wet, and would thereby improve the quality of the cane?—Undoubtedly, and that has been my object from the year 1839.

Charles Cox, Esq., called in; and Examined.

918. Mr. *Hawes.*] HAVE you the immigration ordinance sent home by Sir Henry Light in 1839?—Yes; at page 2 of the Parliamentary Papers, presented by command in 1841, appears the first immigration ordinance passed by the Court of Policy, in 1839. It was sent home by Governor Light in June 1839. It was disallowed by Lord Normanby, by the despatch dated the 15th of August 1839. It was in operation for a short time, as I find by the Royal Gazette, by a proclamation calling it into operation, and a subsequent one, notifying the Queen's disallowance. For that short time it was in operation.

919. Subsequently Sir Henry Macleod sent home an immigration ordinance, did not he?—Yes; founded upon the draft which had been sent out by Lord John Russell.

920. Will you read that despatch of Lord John Russell?—It is dated 15th of February 1840, and is at page 70 of the papers presented in 1841. Lord John Russell there stated the terms on which the Government were prepared to sanction an immigration ordinance. In another despatch of the same date, at page 78, he transmitted a draft of a model ordinance, at the end of which he says, "It must be left to your discretion to propose annually what amount of the public money shall be appropriated from the funds of the colony, for the service of each year, to be applied to the purposes of immigration, in the manner pointed out in the accompanying draft; always, however, bearing in mind that you are not to be at liberty to sanction any such appropriation, unless adequate provision shall have been previously made on a civil list for the various departments of the local civil government." That was to Sir Henry Light. No steps were taken upon that draft ordinance, in consequence, I believe, of the disagreement which occurred between Governor Light and the Court of Policy and the Combined Court; and in consequence of that disagreement Lord John Russell, in 1840, determined upon sending Sir Henry Macleod, who was then Governor of Trinidad, to Guiana, for the purpose of settling the civil list, which was about to expire. Sir Henry Macleod obtained a civil list; and in his despatch, dated the 23d of January 1841, he sent home also an immigration ordinance, which is the ordinance which has been under discussion. That ordinance is dated the 18th of January 1841. There was a proclamation dated the 16th of February 1841, calling it into operation; and

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that it worked effectively will also be seen from his further despatch, dated 11 December 1841. Governor Light's despatch of the 23d February 1841, (Parl. Paper, West Indies, by command, p. 249,) encloses this proclamation, which names the places from which immigrants might be introduced on bounty out of the public funds. He says, "I have also the honour to forward a statement of the number of persons introduced into this colony, from all parts of the world, since my proclamation giving effect to the ordinance passed by Sir Henry Macleod for the introduction of immigrants." He then encloses a statement of the immigrants introduced from the 18th of February to the 30th of November 1841; the total number being 7,634.

921. That ordinance was acknowledged by Lord John Russell, was not it?—It was.

922. Will you now state what the contents of the despatch were in which he refers to that ordinance?—The amendments which Lord John Russell required in the ordinance will be found in his despatch of the 8th of April 1841. He says, "Sir Henry Macleod states in his despatch of the 23d of January, that the alterations made in the draft of the ordinance sent home are not many; but he, as well as yourself, had specially noticed the alteration contained in the first clause, which enacts that the Combined Court, in lieu of the Governor and Court of Policy, shall set apart the moneys to be applied for the purposes of the ordinance." Lord John Russell's objection was not with regard to the immigration, but that the ordinance had been passed by the Combined Court instead of the Court of Policy, and that the appropriation of the moneys was to be by the finance committee of the Court of Policy, instead of by the Governor's warrant in the usual form. Governor Light's attempts to obtain the amendments pointed out by Lord John Russell have not been laid before the Committee. I have, by Mr. Hawes's desire, brought copies of the despatches relating to them, in which will be found stated the reasons why Sir Henry Macleod was unable to obtain the amendments which Lord John Russell required.

923. Will you be so good as to deliver them in?—(*The same were delivered in, Nos.* 1 *to* 7.)—*The Witness.* In consequence of the receipt of these despatches, Lord Stanley, who was then Secretary of State, on the 2d of May 1842, writes (*also delivered in, No.* 8):—"Although it is impossible for Her Majesty's Government to sanction the alterations made by the Court of Policy in the original draft of the ordinance transmitted to you by Lord John Russell, as containing the modifications and embracing the measure which, after mature consideration, Her Majesty's Government were prepared to sanction, it is satisfactory to observe that there is no difference of opinion in regard to the main provisions of the ordinance, and that there exists no contrariety of interests in this case to be reconciled. The alterations introduced into the ordinance sen thome by Sir Henry Macleod are inadmissible, because they involve a departure from constitutional principles of government. If sanctioned they would authorize the Combined Court, in lieu of the Governor and Court of Policy, to initiate money votes, and would require that money, once set apart for the public service by the Governor and Court of Policy with the financial representatives in Combined Court assembled, should be issued with the sanction of the finance committee of the Court of Policy, instead of by the Governor's warrant alone." Lord Stanley then goes on to say that he was anxious not to disallow it, and he therefore enclosed an Order of Her Majesty in Council, declaring, "that if at the expiration of three months after the receipt of the Order in British Guiana, no ordinance shall have been passed by the Governor and Court of Policy containing the modifications above referred to, the immigration ordinance passed on the 18th day of January 1841 shall be null and void. I have been induced to take this course, rather than that of advising Her Majesty at once to disallow the ordinance, in the earnest hope that the Court of Policy will put an end to all embarrassment, by passing within the specified time an ordinance with the necessary modifications." Sir Henry Light was enabled to obtain those amendments. In a despatch dated the 1st of July, he states that he is making progress; and in another dated the 6th of August, (*the two Despatches delivered in, Nos.* 9 *and* 10,) he sends home an ordinance with the amendments. That ordinance would have received Her Majesty's confirmation, but that in the meantime Her Majesty's Government had decided upon taking the immigration under their own special charge, and

before the receipt of this amended ordinance, Lord Stanley transmitted, on the 25th of February 1843, to the Governors of the different West India colonies, and Guiana among the rest, the draft of an ordinance which had been submitted to him by the West India body in this country as well adapted to carry out their views with regard to immigration in future. This despatch is in the papers relative to immigration from the West Coast of Africa, laid before the House by command in 1843, p. 44. In consequence of having sent out that draft ordinance, Lord Stanley, in answer to this despatch of Governor Light's, transmitting the amended ordinance, says, " I have to acknowledge the receipt of your despatch of the 6th of August last, (*delivered in, No.* 11,) forwarding the immigration ordinance passed by yourself and the Court of Policy, embodying the amendments required to be made by my despatch of the 1st of July. Her Majesty's Government having decided upon taking charge of all emigration from the west coast of Africa to the West Indies, I deferred conveying to you any decision upon this ordinance until the Government plan should have been matured. My circular despatch of the 25th ultimo having placed you in possession of that plan, as well as of a model of the law to be recommended to the Court of Policy for their adoption, it is not necessary that I should convey to you any instructions upon this ordinance. As, however, the amendments appeared to me to have been made according to the spirit of my despatch of the 1st of July, I should have been prepared to recommend Her Majesty to confirm the ordinance, had not some further amendments been required to bring it into conformity with the Imperial Passengers' Act, which had been passed at a date subsequent to the passing of the ordinance, though some time previous to the date at which I received it." In a despatch of the 17th of May 1843, Governor Light transmits home an ordinance which had been passed by the Court of Policy, founded upon the draft which Lord Stanley had sent out in the circular of the 25th February, to which I have just referred. The ordinance is dated the 15th of May 1843. That ordinance Lord Stanley did not consider quite in conformity with his draft, and he therefore pointed out to Governor Light, on the 25th of July 1843, certain amendments which were required in this ordinance; those amendments were made by the Court of Policy, and on the 2d of October 1843, Governor Light transmitted an ordinance passed in conformity with those amendments which had been required, which ordinance was considered satisfactory by Lord Stanley, and in a despatch, dated 5th of December 1843, he conveyed to Governor Light Her Majesty's confirmation both of the ordinance of 1843, and of the subsequent ordinance which made the required amendment of the previous one, and those two ordinances then became the law of the colony. Since that there has been another immigration ordinance passed, but it is still under consideration.

924. Will you state the date at which that ordinance was passed?—It is in Governor Light's despatch of the 5th of March 1848, and is dated the 28th of February 1848; it is in the Papers laid before the House of Lords in 1848, at page 485; it is also printed in the House of Commons' Papers. In the despatch of the 23d of May 1848 Lord Grey points out the objection he entertained to some of the provisions of the ordinance, and calls for its amendment. Nothing has been done upon the ordinance in consequence of the state of affairs in the colony in regard to the stoppage of the supplies.

925. Can you state the nature of those objections?—The following is from a despatch of Lord Grey: " These objections I shall now proceed to state. First, Some of the most important provisions of the ordinance are those of the 21st clause, which prescribe contracts for three years. Though I continue to think such long contracts injudicious, I am not prepared to insist on their absolute prohibition when the employer and the immigrant are agreed in desiring them; but this clause appears to go further, and to invest the immigration agent general with the power of allotting the immigrants at his discretion, and insisting upon the execution of a contract of service for three years certain as a preliminary of that allotment. The effect will be to impose upon every immigrant, however unwilling he may be, the necessity of binding himself by a three years' contract. I cannot consent that he should be subjected to any such obligation, and the 21st clause of the ordinance must be, therefore, amended in such a manner as will leave it clear that no such contracts are to be imposed on any labourer without his full consent. I have also to observe that this ordinance does not impose any stamp duty on this class of contracts, which, if a monthly tax of one dollar 25 cents is to be imposed upon unengaged

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immigrants, ought unquestionably to be done, though I see no objection to fixing the amount of this stamp duty considerably below what would be charged as monthly tax for an equal period." That objection and the following have reference to a plan which Lord Grey had sent out in his circular despatch of the 23d October 1846. "The 30th clause, which imposes a fine of 48 dollars on persons employing any registered immigrants otherwise than under yearly contract, involves an undue interference with the freedom of labour. An immigrant, subject to the high monthly tax imposed by this law, should be at full liberty to turn his industry to the best account by any kind of labour which he may prefer." "The 32d clause provides that if labourers under contract absent themselves from work for more than a week, the period of their absence should not count as part of their industrial residence. No exception is made (probably from inadvertence) for the case of sickness. I think, however, that athough it may be proper to provide that a labourer's wages should be suspended while he is incapable of work, yet that the time during which an immigrant under contract has been under the proper medical treatment for sickness should clearly reckon as industrial residence."

926. Can you turn to the despatch of the 29th of April 1841, from Sir Henry Light, in which he states that the immigration ordinance was then working well?—On the 29th of April, Governor Light says, "I have the honour to transmit to your Lordship copy of a minute I this day addressed to the Court of Policy. I take the earliest opportunity afforded me of informing you that I received by this mail a despatch from the Right Honourable the Secretary of State for the Colonies, dated 2d March, by which it appears that he has expressed to Sir Henry Macleod his approval of the settlement of the civil list. I am happy that this subject of discussion is terminated. I have no information relative to the emigration and loan ordinances. The harmonious way in which the provisions of the emigration ordinance are now carrying on in conjunction with myself, and which I trust nothing will interrupt, renders it a matter of indifference to me whether the ordinance proposed by Her Majesty's Government, or that sent home from hence, be the basis of our immigration, which cannot but succeed so long as we are thus united for its advancement."

927. *Chairman.*] Are you aware of these facts from your personal knowledge of the events which took place in 1841, or is your information derived simply from looking over the despatches?—Chiefly from looking over the despatches again now.

928. You have no knowledge of what took place in 1841 in Guiana except by reference to those despatches?—Only casual information. I did not happen to be in the particular department in 1841 in which the West India business was transacted. At that time I was private secretary to the Under-secretary, and therefore I did not see everything that was passing in the same way as if I had been in the immediate department where this business was conducted.

929. You are not aware whether Sir Henry Macleod's ordinance of 1841 was repealed in 1842, or not?—I know it was not.

930. In the Guiana Almanac it is stated that it was repealed in 1842?—I know nothing of that ordinance which is referred to there. My reason for thinking there was no such ordinance is this: when Governor Light, on the 17th of May 1843, sent home the amended ordinance which repeals the two immigration ordinances, he says, "And whereas it is also necessary to make provision for the introduction into this colony of labourers from places not in Africa, upon bounties to be paid by this colony, and to amend the ordinance passed by the Governor and Court of Policy of British Guiana on the 1st day of August 1842, and published on the 4th day of August following, for the encouragement of immigration into this colony, and that for this purpose the said ordinance should be repealed; be it therefore enacted, as it is hereby enacted by his Excellency the Governor of British Guiana, with the advice and consent of the Court of Policy thereof, that from and after the publication of this ordinance the said hereinbefore-mentioned ordinance, intituled, 'An Ordinance to repeal an Ordinance passed on the 18th day of January 1841, intituled, An Ordinance to regulate and encourage Immigration into British Guiana, and to make other provision in lieu thereof,' shall be, and the same is hereby repealed, save and except in so far as the said ordinance has repealed any former act or ordinance."

931. Mr. *Hawes.*] Then it proceeds to re-enact a new immigration ordinance?—Yes.

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932. Mr. *Hume.*] What is the difference between that which is repealed and that which is re-enacted?—That I cannot undertake to say.

933. *Chairman.*] You were not in the West India department at that period?—I was not.

934. Therefore you are not able to speak to those points?—No.

935. Mr. *Hawes.*] Will you undertake to compare those ordinances, and to prepare a paper for the Committee, pointing out the differences?—I will.

Sir *Henry Light*, K. C. B., again called in; and further Examined.

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936. Mr. *Wilson.*] WHAT was the first information which you had in the colony of any complaint being made against the existing civil list?—I think it is stated in the first private confidential despatch I wrote to Lord Grey.

937. Will you refer to these papers and tell the Committee what is the date of the despatch?—I see in a despatch, dated March the 18th, 1848, I state, "This was the first official information, wishing me to delay bringing forward the estimates."

938. You have the despatch of the 18th of March before you at page 11 of the Guiana Papers?—Yes.

939. That, you say, was about the first time you advised Lord Grey that the Combined Court were disposed to stop the estimates: can you recollect what reasons generally were given for the course that the Combined Court took upon that occasion?—On this occasion I stated to Lord Grey, "The news by the mail brought, as I mentioned in my despatch, No. 45, date 16th instant, before the arrival of the steamer here, which gave the proprietary body no hope of protection, has created great despondency; and I learnt with regret the determination that was current, to throw the whole affairs of the colony into confusion by stopping the supplies." The former suggestion was to reduce all the salaries 25 per cent.; this was to stop the supplies.

940. Did that mail bring out the news of any particular circumstances or any particular debate as occurring here?—I can hardly recollect, except that there was no hope of protection.

941. You do not recollect whether the news brought out by that mail had reference to any West India Committee which had been appointed here, or any debate upon West India subjects which had taken place here?—No, I think the sole thing was that they lost all hope of protection.

942. You do not know how?—The news came out by the mail on the 16th.

943. What was the news?—I cannot remember; there it was, and upon that Mr. Rose called upon me to say that they could not afford to pay anything, and therefore they would stop the supplies.

944. Will you turn to page 13 of those papers; it appears by a despatch of the 31st of March that on the 21st a meeting of the Court of Policy took place, at which notice was given of certain resolutions?—Yes.

945. Were you present at the meeting of the Court of Policy?—Yes.

946. You find at page 13 a notice given of the following resolutions: "That the Acts of the Imperial Parliament for a series of years, previous to 1846, inflicted extensive injury on this colony; lessened materially the value of property, and by enhancing the cost of production, slowly, but surely, reduced the profits of cultivation, so as to leave little or no interest upon the capital invested; that the Sugar Duties Act of 1846, by admitting slave sugar to competition in the English market with free-labour sugar, has utterly annihilated the little value which previously attached to landed property, and has rendered it impracticable to continue the cultivation of the staple commodities at a remunerating price; that the result of the measure of 1846 has been to lower the value of sugar to such an extent that the proceeds are insufficient to cover the cost of production; that the colonists are in consequence plunged in deep distress, their means exhausted, and their utter ruin must follow, unless immediate measures of relief be afforded by the British Parliament; that Her Majesty's Government having announced their determination not to grant protection to sugar, the produce of British possessions by free labour, the colonists are unable to withstand the calamities which the measure of 1846 inflicted on all the resources and upon every interest of this colony. It is therefore the opinion of this court, that the Acts of the British Government, as carried out for a series of years, and their refusal to give any measure of protection to

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colonial industry, have rendered colonial property valueless; that in the present state of the colony, this court cannot proceed to vote the estimate, or to take any part in raising the supplies, as the sources of income from which the colonial expenditure has hitherto been defrayed have ceased to be productive, and this court is consequently deprived of the means of providing the necessary funds to support the civil government and institutions of the colony. The acts of the British Government have placed the colony in its present perilous situation, and on the British Government must the responsibility rest." Were you present when notice was given of those resolutions?—Yes.

947. Will you turn to page 27; you have seen that in the last paragraph of the resolutions at page 13, which I have just read, it is stated "the sources from which the revenue is derived have ceased to be productive." You will find at page 27 an account of the revenue receipts for the quarter just ended?—I see it.

948. Will you turn your eye to the year 1847?—I see that the import duties for the three months of January, February, and March 1847, produced 49,757 dollars 26 cents.

949. And in the same month of 1848 how much?—92,182 dollars 83 cents. Then the wine and spirit duties in January, February, and March 1847 are 16,260 dollars 78 cents.

950. And in 1848 how much?—20,632 dollars 93 cents.

951. The rum duties?—The rum duties in January, February and March 1847 were 29,631 dollars 90 cents, and in 1848 the same months, 26,339 dollars 35 cents.

952. Have you the total of the whole there?—No, I have not; but the total, I fancy, will show a great deal more than either 1846 or 1847.

953. Does the total show a sum of 95,648 dollars in 1847, and 139,153 dollars in 1848?—Yes.

954. From your knowledge of the state of the revenue at that time, you are not of opinion that those resolutions represented fairly the financial condition of the colony at that moment?—Certainly not.

955. Will you turn to page 42 of the papers before you. You there transmit a statement of the revenue receipts for the month of April 1846, 1847, and 1848?—I do.

956. Will you read the result of those receipts for the year 1847 and 1848?—In 1846 the import duties were 27,901 dollars 60 cents; in 1847, 14,823 dollars 33 cents; in 1848, 28,667 dollars 35 cents; it is double that of 1847.

957. How much were the wine and spirit duties?—In 1846 they were 9,321 dollars 88 cents; in 1847, 4,502 dollars 48 cents, and in 1848, 6,052 dollars 16 cents.

958. And the rum duty?—In 1846, 9,962 dollars 5 cents; in 1847, 9,727 dollars 10 cents; and in 1848, 8,756 dollars 15 cents.

959. Then the revenue of the month of April also was larger in 1848 than it had been in 1847?—Yes; from all those sources.

960. Will you turn to page 28; you find there an enclosure which accompanied a despatch of yours containing an account of a meeting of the Court of Policy, held on the 10th of April?—Yes.

961. Do you find that the resolutions of which notice had been given upon the 21st of March, were proposed for the adoption of the court on that day?—Yes.

962. Were those resolutions carried or not?—The motion was lost by the parties being equal.

963. The whole of the unofficial members voted for those resolutions?—Yes.

964. Did you consider that the resolutions embodied the real substantial reasons why the Court of Policy wished to stop the estimates at that period?—I did not think them sufficient reasons.

965. Did you consider that those resolutions embodied the actual reasons why the Court of Policy wished to refuse to pass the supplies?—What they said I must take to be their reasons. We cannot go further than what we see here; except that my opinion was that the whole object was to get the affairs of the colony into confusion, and bring the Government into trouble.

966. Did they state to you any other reasons; were there any other reasons stated

stated officially, why the estimates should not be granted as usual?—There was nothing stated that I could notice.

967. Did you consider that those reasons which they alleged for the course which they wished to pursue, were the real reasons by which they were actuated?—Notice was given on the 21st instant of those resolutions, upon which I wrote my despatch saying, that I considered myself relieved. Those resolutions were brought forward, showing a determination not to go into the system of supplies at all; and, therefore, as I said to the Secretary of State, I determined that I would carry in the estimate and see whether the sense of the colony would not be in my favour, and it was very nearly being so,

968. Will you turn to page 21; towards the close of your despatch of the 13th April, three days after that meeting had been held, you state in reference to the difference which existed between you and the court, "It is, however, without the personal feeling of former days, and much more courteous; it is avowed to be for the purpose of forcing protection against slave sugar?"—That was the general feeling of the colony; at least of those persons having power in the colony.

969. Did you write this from the feeling which you imbibed from what passed at the meeting at which those resolutions had been passed?—I think part in doors and part out of doors; I had at that time communication with parties on both sides of the question.

970. Then you had this kind of general understanding from your communication with parties in the colony, that the real object for refusing the estimates at that period was to force protection against slave sugar?—Yes; that was my idea.

971. By the resolutions which were proposed to the court on April 10th, you felt yourself perfectly justified in taking the course which you did?—Perfectly justified.

972. The reason which was suggested by the court on the 10th April, with regard to the resources of the colony being insufficient, was not, in your opinion, a correct one?—It was not correct; they looked forward to the future, and I looked at the present.

973. *Chairman.*] What do you mean by saying that they looked forward to the future and you looked to the present?—I looked to the present; theirs were anticipations of the total impossibility of paying the taxes, or obtaining the revenue. I have heard that said so often, that when I have facts before me I have a right to take them as my point of view.

974. Mr. *Wilson.*] Will you turn again to page 28: do you not see that in the last of the resolutions it is stated that one reason is, "As the sources of income from which the colonial expenditure has hitherto been defrayed have ceased to be productive, and this Court is consequently deprived of the means of providing the necessary funds to support the civil government and institutions of colony:" the resolutions therefore had reference to what had passed down to that moment, and not to the future?—The resolutions there evidently showed that they considered there were no funds forthcoming. I proved there were funds forthcoming.

975. And that the finances of the colony, instead of being in a dilapidated state, were better than they had been in any former years?—Apparently.

976. You had no other evidence than those returns, had you?—I had not.

977. Will you turn to page 36, and look to about the middle of the second paragraph in the page: it is there stated, "When the civil list ordinance was extended in 1844, the circumstances of this colony were essentially different to what they are at present. The principal heads of that difference we find ably enumerated in the resolutions adopted by the Court of Policy on the 30th of December last, and forwarded by your Excellency to Earl Grey. We maintain that the conditions of the civil list ordinance have been violated by the British Government, inasmuch as when that Act was passed the Imperial Parliament and Her Majesty's Government stood pledged to the exclusion of slave-labour sugar from the British markets?—I see that.

978. What is that document?—It is Mr. White's reply to my address; that is, in the name of the financial representatives and the unofficial members of the Court of Policy.

979. And it was signed by them?—Yes.

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980. When the civil list was renewed in 1844 was one word said to you which implied a condition that slave labour should ever be admitted into the British market?—Not a shadow of it.

981. Is there a tittle of truth in the assertion contained in this paper, that such was the condition upon which the civil list rested?—Certainly not. I do not mean to say that those gentlemen did not think they were speaking the truth, but it was not the case.

982. When that is given as a distinct ground upon which the civil list was granted, so far as you are concerned, there never was any representation made to you in the nature of such a condition?—Never.

983. Looking back to the resolutions of April 10th, upon which the whole of this proceeding seems to have been based, are you aware of any circumstance whatever which occurred, either before or at the time the civil list was granted in 1844, which justified the Court of Policy in making the estimates contingent upon any law which should be passed in this country with regard to protection or non-protection?—I think not.

984. There is nothing that you are aware of which made it contingent upon such a circumstance?—Nothing.

985. What is about the annual revenue of the colony; is it about 227,000 *l.* a year in round figures?—It was made so by the taxation. The estimates were very much increased by providing funds for immigration in 1846; if I am not mistaken, they furnished 100,000 *l.* for immigration. There were 75,000 *l.* for one set of Coolie immigrants, for which ships were taken up.

986. Was the 100,000 *l.* to which you refer paid out of the 227,000 *l.*?—Not out of that 227,000 *l.*; I think it was in 1846. The estimates have been swelling, in consequence of the immigration and the expenses attending upon it; the expenses of immigration were upwards of 300,000 dollars in 1847.

987. What other sources of revenue were there, besides the three heads to which I have called your attention in this paper?—The rum duties, the wine and spirit duties, and the import duties are very large; then there are the hucksters' licences, acre money, and shop taxes; there is an income tax, and a variety of small items which have given them this large revenue, of which they now complain. It is all detailed in the minutes of the Combined Court.

988. *Chairman.*] There are certain import duties upon all articles, are not there?—There are.

989. Mr. *Wilson.*] With reference to those other heads of revenue which you have enumerated, besides the import duties, rum duties, and wine and spirit duties, were the receipts from those other descriptions of duties as large in 1848 as they were in 1847?—They were. In 1847 I gave a table of every estimate from 1838 down to that time, in which everything is detailed. It cannot be supposed that I should carry these things in my head; if you refer to that you will see in one table the exact sum in every year which is given upon such and such a tax.

990. Can you generally state, from your own knowledge, that at the period to which I am alluding, upon the 10th of April, to which period the revenue accounts to which I have called your attention refer, the other sources of revenue were also increasing?—I cannot say that from my own knowledge; but I should have known it, if it had not been so, from the receiver general.

991. Have you any reason to believe that there was any falling off?—None.

992. Taking the revenue of the colony at 227,000 *l.*, what proportion of that will be the civil list as it now stands; the civil list is about 33,000 *l.*, is not it?—£. 39,000. It is reduced 4,500 *l.* by the Government paying 10 stipendiary magistrates; therefore that will make it about 34,000 *l.*

993. From the 39,000 *l.* which is the nominal amount of the civil list, you have to deduct, first, the portion paid by the Imperial Exchequer at the time, and then you have to deduct a pension which has fallen in, reducing the present civil list to about 34,000 *l.*?—Yes.

994. Which includes 9,000 *l.* put on by the colony itself for the payment of the clergy?—Yes.

995. If the whole revenue be 227,000 *l.*, and the civil list about 34,000 *l.*, the civil list would form about one-seventh of the revenue of the whole colony?—It would, supposing they had produced such an estimate as the year 1847, which I have taken as the largest; but it was increased by sums which do not appear

to

to have been mentioned, but which did actually accrue, according to the best of my recollection.

996. Leaving therefore six-sevenths of the revenue for the other expenditure? —Yes.

997. You stated upon the former day that over that six-sevenths, or 190,000 *l.* out of 227,000 *l.*, the Court of Policy, or at least the local courts, had the entire control?—The entire control.

998. And they can either abolish the office or reduce the expenditure of any officer not upon the civil list?—Yes.

999. Is there an officer in British Guiana under the title of the sexton?—There is.

1000. What is his salary?—His salary depends upon fees; I believe it is about 1,000 *l.* sterling. It was an office given to him by General D'Urban, and was not quite so lucrative as it has been since the introduction of the immigrants, who have died in the Colonial Hospital; the sexton receives fees for their burial.

1001. Who fixes, or is the controller of his receipts?—The control of the fees, they say, is now in the hands of the Court of Policy, but I have always objected to the reduction of the fees upon a vested right granted upon certain principles which it would be unjust to reduce merely for an individual; but it appears they have the power of doing it.

1002. With whom does the appointment rest?—With the Governor.

1003. Out of the 227,000 *l.* there is 194,000 *l.* over which the local courts have the entire control?—Yes; the colonial sexton is paid by fees, not by the Governor.

1004. The colonial sexton's salary does not come out of this sum at all?—It does not; he is paid by fees, as in the case of funerals in this country.

1005. In the case of persons dying in the hospital, who pays the fees for their burial?—The colony; it comes out of the treasury.

1006. The whole source of the dispute between you and the colonists was your disinclination upon the reasons given to consent to a reduction of the civil list by 25 per cent.?—I could not do it.

1007. That was the only reason?—It was.

1008. What would that have amounted to upon the 34,000 *l.*?—It would be one-fourth,

1009. £. 8,500?—It would have reduced it by that amount, besides the clergy.

1010. The practical question upon which the colonists and yourself came into collision was a reduction of 8,500 *l.* upon a total expenditure of 224,000 *l.*, they having the power within their own hands to deal as they pleased with 194,000 *l.* of that money?—I think so.

1011. Will you turn to page 27, and refer to the bottom of the page; you will there find two resolutions, the first of which is, "That it is the opinion of this Court, that in the present state of the colony it is desirable to defer the consideration of the estimate until the result of the deliberation of the Committee of the House of Commons, now inquiring into the condition of the sugar-producing colonies, be ascertained, so as to enable the Court to form a more correct opinion as to the means the colony will have of defraying the public expenditure. This Court therefore recommends that the consideration of the estimate should be postponed until the 20th day of July next;" that is the resolution which was proposed?—It is.

1012. Were you led to believe by this, or from any other reason, that the parties who were moving in antagonism to you had in view the result of a Committee that was sitting in this country?—They have said it.

1013. You were not in the colony, I believe, when the news arrived of the ultimate result of that Committee?—I fancy not; I left it upon the 20th of May.

1014. It has been apparent, from the despatches to which I have referred, and from the resolutions to which I have referred, that the chief reason for the collision that took place between you and the Court in Guiana was really the Acts of the Imperial Government, in refusing protection, and the admission of slave-labour sugar, over which you had no control whatever?—I think till the address there was no personal feeling against me. But in my address to them

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I happened to touch upon subjects which did not please them, and they replied in a very uncivil way, at which I was exceedingly indignant; but with regard to feeling, I considered the whole thing was to try whether they could not affect the Government at home.

1015. Up to the 10th of April, when those resolutions were passed, nothing had taken place in the nature of a dispute?—No; on the contrary, I really fancied that I should have gone off quietly, and without anything disagreeable, at the close of my career.

1016. Your belief is, that all this disagreement took place, not so much from a desire to effect economy in the expenditure of the colony, because, in fact, they did not avail themselves of the opportunity which they had of economizing upon so large an amount of the revenue; but that it really did take place from a determination to force the Home Government to retrace their steps with regard to the protective duties upon sugar, and the admission of slave-labour sugar?—That was my opinion.

1017. And you collected that opinion, not only from the resolutions submitted to you in the Court of Policy, as the ground upon which the estimates were stopped, but from the general expression of opinion in the colony at large?—Yes.

1018. Mr. *Villiers.*] Did not you tell the Committee that the colonists had no hopes of getting the protective duties re-imposed?—I may have said it, it being my own opinion.

1019. Mr. *Wilson.*] You stated in your despatch of the 18th of March, at page 11, "The news, which arrived by the steamer, which gave the proprietary body no hope of protection, has created great despondency." After the arrival of that news, if you turn to page 37, you will find, upon the 27th of April, that by a resolution at the bottom of the page, the course pursued by the court was rendered contingent in some measure, or at least that the court thought it desirable to wait till the result of the deliberations of the Committee of the House of Commons was known?—It appears so.

1020. Therefore though when the February mail arrived carrying out the debate in Parliament, which took place in the first week in February, the planters entertained no hope of a return to protection, yet it seems in April they did entertain more hope, because then they were willing to delay the consideration of the course they should take till the result of a Committee then sitting should be known?—It appears so.

1021. Did you hear much conversation in the colony about that Committee?—I do not recollect; I dare say many such conversations took place. I saw a great many persons of different kinds, but those who had common sense were of opinion, and I believed that that opinion would have had more hold upon the Combined Court, that stopping the supplies was cutting their own throats, and doing all the harm possible to the colony.

1022. I do not ask you any questions about stopping the supplies later than that, because you left the colony before that took place?—No, the supplies were stopped; that is, I would not agree to their terms.

1023. I allude to the ultimate stoppage of the supplies in September?—I was not there then.

1024. Do you know from any correspondence you have had with the colony what took place then?—Not officially. I have heard that they stopped the supplies because the Government would not yield to the terms of reducing the civil list.

1025. Mr. *S. Wortley.*] Your attention has been drawn to the resolution of the 10th of April on page 28, in which the Court of Policy say, that the sources of income from which the colonial expenditure has hitherto been defrayed have ceased to be productive. That resolution was proposed upon the 10th of April 1848?—Yes.

1026. Will you turn to page 27; your attention was drawn to that document, enclosure number 2. What is the nature of that document; is it a document laid before the Court of Policy?—It is a document obtained from the receiver general by my order.

1027. Did you lay it before the Court?—The Court knew that document as well as I did; I may have laid it before them.

1028. Will you look at the date of it; is not the date of it April 14th, 1848?—It is.

1029. Therefore

1029. Therefore that return had not been made at the time the resolution was proposed?—No.

1030. Therefore they could not have founded their resolution upon that return in the year 1848?—No.

1031. Their resolution was founded upon the return of 1847?—No; their resolution was founded upon their own whim.

1032. Supposing it had been founded upon the returns of 1847, let us see what the result would have been. Will you now turn to that table again at page 27; was this an annual account which was rendered?—Having that view, and knowing that they were wrong in saying that there were no sources of supply, I got this return to send home with my despatch, as it was necessary for me to give proofs that I had not acted imprudently in the course I had taken.

1033. Will you be kind enough to look at the return on page 27 again, and tell me what is the amount of the import duties in 1846?—The import duties in the first three months of the year 1846, were 71,828 dollars 56 cents.

1034. What did the amount fall to in 1847?—49,757 dollars 26 cents.

1035. Take now the wine and spirit duties; what were they in the first three months of 1846?—26,611 dollars 63 cents.

1036. What had they fallen to in 1847?—16,260 dollars 78 cents.

1037. What are the rum duties in the first three months of 1846?—They were 30,166 dollars 10 cents. In the corresponding three months of 1847, they were 29,631 dollars 90 cents.

1038. I have cast up the total, and I find the total revenue for the first quarter of the year 1846, was 128,608 dollars in round numbers; the total of 1847 for the three first months was 95,649 dollars, showing a decrease in the revenue of 32,958 dollars. If that be correct, the revenue had fallen off by one-fourth?—In 1847 there were particular reasons for it.

1039. That would be the result of the return which the court would have before them?—The court had full power to see what was in the return for 1848.

1040. Unless they had had some document to show them what the state of the revenue was in 1848, they would be led to form their judgment upon the state of the revenue in 1847?—They might have done it, but I do not give them credit for it.

1041. Had they on the 10th of April the means of knowing what the revenue had actually been in the months of January, February, and March, in that same year?—Certainly.

1042. What means?—Going to the colonial treasurer's office.

1043. Had there been any inquiry made on the subject?—I dare say they made inquiry.

1044. In point of fact, they had no such datum before them?—No.

1045. Mr. *Hawes.*] Will you turn to page 37. Is not there an address there from the elective members of the Court of Policy?—Yes.

1046. Will you look at the last paragraph of that address?—"We can assure your Excellency, it is with great reluctance that we have entered into the matters contained in this address; but had we not done so, we feared our silence might have been construed into an admission of the statements set forth in your speech. If, unfortunately, any of our remarks shall prove distasteful to your Excellency, we can only assure you that they have been forced from us in our own justification, and in order to show that our present distress has arisen from causes which a wise and provident government might have averted, and which the colonists have strenuously but ineffectually struggled to remove."

1047. That is dated April the 26th, is not it?—It is.

1048. Followed by a resolution to postpone the estimate?—Till the 20th of July next

1046. That is subsequent to the date of the Custom-house returns to which reference has been made?—Yes.

1050. Mr. *S. Wortley.*] Did you lay that return at all before the Court of Policy before the 26th of April?—No, it was not necessary.

1051. Mr. *Wilson.*] You have been told that the revenue for the first quarter of 1846 upon the dates which were read to you is 128,000 dollars?—In round numbers.

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1052. Which was more than the revenue of the first quarter of 1847, that being only 95,000 dollars?—Yes.

1053. You have been asked whether the state of the revenue for the first three months of 1848 was before the Court of Policy; you say it was not?—Not that I know of.

1054. Was the revenue of the whole of the year 1847 before the Court of Policy?—I believe it was.

1055. Was the revenue of the whole of 1847 larger than the whole of the revenue of 1846?—I cannot recollect.

1056. Will you turn to page 180 of the book which is before you; you will find there a despatch of Lord Grey?—I do.

1057. There you will see a statement of the revenue for several years?—Yes.

1058. Finishing in 1846?—Yes.

1059. You find there the following paragraph: "And although, of course, I am not in possession of any return for the past year, the revenue in the Estimate of Ways and Means transmitted in your despatch of the 30th of June last, is calculated at 1,135,507 dollars, leaving a surplus of 52,526 dollars over the estimated expenditure." Was the revenue of 1847 equal to what you expected?—Undoubtedly, it fully answered all expenses; whatever it is, the account has been sent home.

1060. Was the revenue of 1847 in excess of that of 1846?—Most undoubtedly.

1061. What were the particular circumstances which caused the first quarter of 1847 to be worse than the first quarter of 1846?—In the first place there was a strike among the labourers; they did not buy so much rum or spirits; there was not so much money expended, if I am not mistaken.

1062. Mr. *S. Wortley.*] I understood you to say that you had no means of stating what the revenue of the whole of the year 1847 was?—I have not the means of recollecting; my recollection does not serve me to tell you the exact amount, but I know very well the estimate was 1,080,000 dollars, and that that was paid by the revenue; there was no deficiency; there was, in fact, a surplus in the colonial treasury.

1063. Mr. *Wilson.*] The figures in the return to which you have referred at page 27, apply only to the first quarter of each of the three years?—Only to the first quarter of each of the three years.

1064. And though the result of the first quarter of 1848 was not absolutely known, yet it was known generally that the revenue of 1847 had been larger than the revenue of the preceding year?—It must have been.

1065. Was it generally known to you and to the courts at that time, when these discussions were taking place, that the revenue was not deficient, but in excess of the preceding year?—I presume that they must have known what everybody else knew, that there was no deficiency in any one point, except, I think, a slight one in the duty upon wine and spirits. I think that was less, but the estimate was fully covered by the revenue.

1066. Unless the Court of Policy had paid attention to this subject, and had made themselves acquainted with it, how could they have said in this last resolution that the sources of the revenue had ceased to be productive?—They chose to say it.

1067. *Chairman.*] Did not you say that the colonists looked forward to the future with respect to the revenue, and that you looked only to the present?—I looked to what was before me, and I could not judge from anything else. I had seen from 1838 a constant anticipation of diminished revenue, but I always found it to increase.

1068. The colonists looked forward to what they thought might be the case in future years; did not they?—I cannot give an hypothetical answer; I give you what I understand to have been the case.

1069. Mr. *Adderley.*] I understand you to have been led to make it appear that the colonists threatened to stop the supplies in order to induce the Home Government to restore protection to them; I understand that the reason they assigned why they were unable to pay for the civil list was that they could not bear the burden; would it not be much the same to them whether they obtained anything that would tend to increase their means, or a diminution of their burdens; you would enable them to obtain their object either by giving them

them the means of meeting the civil list, or else by taking off the burden of taxation?—I cannot enter into their views.

1070. It is simply putting your views on to theirs; their statement was that they could not stand the burden?—Yes.

1071. It does not much matter whether you think they wanted to get protection or whether you think they wished to reduce the civil list; what they said was, that they were not able to bear the burden?—And I saw that they were.

1072. You say that six-sevenths of the expenditure is independent of the civil list?—It is.

1073. Could you propose a reduction of the other salaries while your's remained untouched?—Certainly; the civil list was a bargain; that is, it was by an arrangement, not asked for by me, but settled by the Secretary of State and Sir Henry Macleod in 1840, and by myself and the Secretary of State in 1844. I have said before they might have reduced the expenditure in various ways, and therefore I considered it was a pretence.

1074. You think it would have been justifiable in you to carry out a reduction in the lower salaries, your own salary remaining untouched?—If you mean to say that I am to give you an opinion between man and man, I have done it. In the position I am in, I am to carry out my views according to the system laid down for me.

1075. Will you tell me whether you are aware that in Trinidad and Jamaica it has been proposed to diminish the larger salaries in a greater ratio than the smaller salaries?—Perfectly. It has been brought to my recollection that with regard to the return which I have been asked whether the Court of Policy knew anything of, there was a commission of the Court of Policy to audit Mr. Retemeyer's account, of which Mr. Rose, one of the signers of this document, was a member; therefore he must have known the state of the revenue at that time.

1076. Mr. *Wilson.*] On the 10th of April?—Yes.

1077. Sir *J. Hogg.*] When was that commission appointed, and when was it doing its duty?—At any time in the beginning of the year.

1078. Mr. *Adderley.*] Do you think when you first connected the question of the civil list with the question of the immigration ordinance, that anything but the civil list stood in the way of the immigration ordinance being carried; was not it certain that you could have got the immigration ordinance if you had not, for the first time, mixed up those two questions?—They would not pass the immigration ordinance which I wished to pass.

1079. Were not they willing to alter it?—No.

1080. Had not they stated so?—That is in 1839, with regard to another ordinance.

1081. Can you show in any way that an immigration ordinance could not have been gained but for your mixing up the two questions?—There was an immigration ordinance proposed as a bribe to obtain a civil list.

1082. How can you prove that?—They offered a civil list of any amount which I chose to point to, if I would agree to an immigration ordinance allowing immigrants from every part of the world. I could not do that, and the Secretary of State could not do that.

1083. What was your objection to that immigration ordinance?—It permitted immigrants to be brought from any part of the world. I had no power to grant such an ordinance, nor would I have risked my character with the Secretary of State at home by doing so.

1084. Did the immigration ordinance brought in by Sir Henry Macleod provide for the possibility of contracts being made in the colony?—I do not recollect.

1085. Did not it bring in immigrants without any contract?—Certainly, at that time.

1086. Was not it the case that those immigrants who came in under the immigration ordinance, from the year 1840 downwards, in many cases did not become labourers in the colony?—In one year there were 7,000 immigrants brought in, in nine months.

1087. How many of those became labourers in the colony?—All of them at first.

1088. What proportion of the whole number who came in between 1841 and 1848 became labourers in the colony?—I should think one-fourth of the people from Madeira died; an immense number of the coolies died whenever they

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they came in. As to what number have remained in the field, I cannot exactly tell; but I know very well that an immense number of Portuguese are now shopkeepers and hucksters, and very advantageous it was to the colony at that time.

1089. Do you suppose that those immigration ordinances furnished anything like half the number of the immigrants brought in in the shape of labourers for the colony?—Certainly a great deal more than that.

1090. What was your statement as to the number of labourers in the whole colony at the end of your government?—There were from 20,000 to 25,000 creole labourers.

1091. Mr. *Hawes.*] That is a different class?—A totally different class.

1092. Mr. *Hume.*] You were asked when you were first made aware of the intention of the Court of Policy to refuse the estimate; you said that till the 10th of April you had no reason to believe that they intended so to act?—Not to stop the supplies.

1093. Did they ever stop the supplies?—They said they were determined to do it.

1094. Did not the Governor adjourn the court and prevent any such resolution?—No; the resolutions were read, and upon that I brought in the estimate.

1095. What resolutions?—The resolutions of the 10th of April, at page 13. They brought in those resolutions, and I acted as I said I would to Lord Grey.

1096. Will you read any passage in which it appears that they stopped the supplies?—"The colonial members expressed themselves determinedly against granting supplies, or passing any estimate, declaring, as may be read in the report of their speeches published in the 'Royal Gazette,' their reasons for being dissatisfied with what Her Majesty's Government had done for the colony, and with the measures as regards protection; the official members, as your Lordship may suppose, did not think it of any use to remark on the expressions of the colonial members.

1097. You refer there to the colonial members; have the goodness to show any resolution of the Court of Policy to that effect?—They proposed a set of resolutions to be brought forward at the next meeting.

1098. That was a Mr. Rose?—Yes.

1099. What are those resolutions?—I have read them.

1100. Will you read the paragraph in which, as you say, they refuse the supplies?—They say they "cannot proceed to vote the estimate, or to take any part in raising the supplies, as the sources of income from which the colonial expenditure has hitherto been defrayed have ceased to be productive; and this court is, consequently, deprived of the means of providing the necessary funds to support the civil government and institutions of the colony. The acts of the British Government have placed the colony in its present perilous position, and on the British Government must the responsibility rest." This was a notice. Upon that notice I wrote my despatch, and upon the 10th of April they bring forward these resolutions, and upon that motion I bring in the estimate.

1101. Mr. *Hawes.*] And all the colonial members vote for it?—Yes.

1102. Mr. *Hume.*] I wish to know whether there is any decision of the court to that effect?—It was brought forward on the 10th.

1103. Not at the time you wrote?—No; but that was the notice; and knowing that that notice would be carried into effect I wrote as I did.

1104. If I give notice in the House of Commons that I will move to abolish the Archbishopric of Canterbury, should you be warranted in writing immediately to say that that is effected?—I am perfectly warranted to do what I think is right.

1105. You have been asked as to the capability of the colony to pay the taxes?—I have.

1106. Will you refer to the date of the 10th of April, in page 28, to a paragraph in which the colonists say they are "plunged in deep distress; their means exhausted, and their utter ruin must follow, unless immediate measures of relief be afforded by the British Parliament"?—These are the resolutions proposed: "That in the present state of the colony this court cannot proceed to vote the estimate, or to take any part in raising the supplies, as the sources of income from which the colonial expenditure has hitherto been defrayed have ceased to be productive."

1107. You

1107. You were asked respecting a document of the 30th December; is not the first paragraph this, "That this colony being essentially agricultural, and possessing neither manufactures nor commerce, is dependent for its prosperity or decay upon the extent of its exports, and the value which they may realize in the markets of Europe;" do you recollect that paragraph?—Perfectly.

1108. You wrote a letter, in which you stated that the low prices of produce alleged by them had on a former occasion been even lower than they were then?—Yes.

1109. If you look to page 35, at the third paragraph you will find these words, "That the price of produce was, on a former occasion, and for a brief period, as low as it is at present, we do not deny; but we must take leave to remind your Excellency that in former times, when produce was low, the agricultural interest was not subjected to the payment of wages for labour, which at present constitute fully two-thirds of the expenses of an estate;" do you observe those words?—Yes.

1110. Do you concur in that statement?—No; I consider the planters were in a great state of prostration, but I do not consider that the planters were the great payers of taxes, and none of those expenses would have been so great if it had not been to benefit the planters.

1111. In your letter of the 18th of March to Earl Grey you say, "As to the distress of the planters, there can be but one opinion; absent or present proprietors are all in the same category, and are contemplating the abandonment of estates"?—Yes; I have been questioned upon that before.

1112. Further you say, "The labourers have the money that has been expended on them since emancipation"?—They have.

1113. If the statement be correct that the wages have increased, that the labour was not continuous, that the value of produce had decreased, and that they had no money, but were in a state of perfect prostration; how could you reconcile the idea of continuing that amount of taxation on them, in the state of absolute distress in which you yourself admit they were?—I wrote, feeling as I did for the proprietary body, but knowing that they did not pay the expenses of the colony, and that half the expenses of the colony had been paid for the benefit of the planters.

1114. Did not you state, "It is evident that if exportable produce be not made there will be no wages paid, and we may well pause to ask the creole population if they have reflected upon the condition to which they will be reduced should labour cease to be required." If no wages could be paid, who was to pay the taxation?—Wait till there are no wages paid.

1115. Have not the colonists declared that they were not in a condition to pay wages?—The planters have declared it.

1116. Have not you admitted it?—That they are in great distress, I have.

1117. If the planters are in distress and cannot pay wages, and the wages can only be paid by the planters, how can you reconcile the opinion that those who are unable to pay wages must and will continue to pay the taxation?—Wages will be paid and money will circulate; the present planters may not have money, but a change in the system will produce plenty of money, and the estates will be worked advantageously.

1118. What change of system do you refer to?—The estates going into the market will be bought cheaply, and the people who have credit enough or who have money enough will pay wages, and those wages will circulate, and those wages will go to pay the taxation.

1119. Is that the alternative which you allude to in your letter of the 18th of March to Lord Grey, in which you say that unless a change is made the planters must remain in their state of distress. You say, "And unless I am able by the next mail to communicate some other concessions to the planters, your Lordship will have to settle their financial difficulties as circumstances may demand"?—I wrote that as my own opinion to the Secretary of State, private and confidential.

1120. Will you explain what concessions you alluded to?—I left that to the superior discretion and judgment of the Secretary of State. I could not presume to give him advice upon the subject. I stated my case, and the Secretary of State and Her Majesty's Government were to take for granted what I said as my opinion. I was not to dictate to them what they were to do.

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1121. Had you not in your mind some concessions, and cannot you now state them?—I dare say I had concessions in my mind, but I am not bound to give them to the public.

1122. The Committee is authorized to ask you now, what your intentions were or what you alluded to?—I must certainly say that if the colonists could have got more money, it would have been an advantage to them.

1123. Do you mean the planters when you speak of the colonists?—Yes.

1124. In what way were they to get money?—If they had been able to borrow it.

1125. Have not you stated that they were prostrate?—They were.

1126. Their credit gone?—Yes.

1127. Then how could you expect them to get money?—A change in the money market might have enabled them to get money from the merchants.

1128. Did not you in your previous despatch say the news from Europe, and the failure of merchants connected with the West Indies, precluded them from obtaining money?—I dare say I did.

1129. Then with that knowledge of the great prostration of the colony, how could you make any such proposition or express any such hope?—I have not expressed it; I have left that to the Secretary of State.

1130. You left him to guess what you meant?—Undoubtedly; I had no business to tell him what my opinions were beyond this.

Charles Cox, Esq., again called in; and further Examined.

C. Cox, Esq.

1131. Mr. *Hawes.*] WILL you refer to the Guiana Almanac, and read the title to the Immigration Act there?—"Ordinance passed by Governor Henry Light, Esq. and the Court of Policy on the 1st day of August 1842, to repeal an Ordinance passed on the 18th day of January 1841, intituled, 'An Ordinance to regulate and encourage Immigration into British Guiana, and to make other provisions in lieu thereof.'"

1132. What ordinance is referred to there which is repealed?—Sir Henry Macleod's.

1133. What is the effect of the ordinance repealing that?—This ordinance repeals Sir Henry Macleod's ordinance, and re-enacts it verbatim, with the amendments required by Lord John Russell and Lord Stanley. Therefore, when the Chairman asked me if I knew an ordinance repealing Sir Henry Macleod's ordinance, I said "No," because I did not know of any ordinance under that term, knowing that this ordinance which I referred to to-day, and a copy of which I have laid before the Committee in Governor Light's despatch, was merely carrying out in that form the amendments required by Lord John Russell and Lord Stanley; therefore when I said I did not know an ordinance repealing Sir Henry Macleod's ordinance, I was wrong; it does repeal it, but it re-enacts it almost in the same words.

1134. The amendments which you now refer to were those of a constitutional nature, and not affecting generally the provisions of the ordinance relating to immigration?—Yes; the despatch from Governor Light, transmitting the ordinance, encloses, among other things, a protest against it from Mr. Rose, which says, "The Bill which it is proposed to read a second time is virtually the same as that read a second time on the 17th of August 1841; I then stated my reasons for dissenting from the Bill, and I would not have trespassed on the time of the court had not the circumstances connected with this Bill assumed a new aspect."

1135. *Chairman.*] How have you ascertained, since you were questioned before, that the new ordinance of 1842 re-enacted Sir Henry Macleod's ordinance almost verbatim, except with the alterations you have mentioned?—I will read Governor Light's letter transmitting the ordinance: "I had the honour of reporting to your Lordship, in my despatch, No. 125, date 1st July, my proceedings in the Court of Policy on the receipt of your Lordship's despatch, No. 75, date 2d May, and the accompanying Order of Her Majesty in Council, date 27th April, relative to the amendments required to be made in the immigration ordinance on the 18th January 1841, passed by Sir Henry Macleod. I have now the honour to inform your Lordship that the second reading of an ordinance repealing the above-named ordinance, and containing the required amendments, took place on the 27th July, previous to which reading

reading Mr. Rose read a protest not only against the amendments, but against the Orders in Council."

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1136. It appears from Mr. Rose's protest that that ordinance did not give satisfaction?—Not to Mr. Rose; here is his protest against it.

1137. Mr. *Hawes.*] It also states that it was virtually the same as the ordinance of 1841?—Yes; the ordinance of 1842, which I stated I did not know of, was an ordinance which I laid before the Committee to-day, and which certainly repeals, but also re-enacts it verbatim with the amendments required.

Jovis, 22° die Martii, 1849.

MEMBERS PRESENT.

Mr. Hawes.	Lord Hotham.
Major Blackall.	Mr. Gladstone.
Mr. Wilson.	Mr. Villiers.
Mr. Hume.	Mr. Adderley.
Sir James Hogg.	Mr. Disraeli.
Mr. Stuart Wortley.	Sir Joshua Walmsley.
Mr. M'Cullagh.	

HENRY JAMES BAILLIE, Esq., IN THE CHAIR.

William Robertson Sandbach, Esq., called in; and Examined.

1138. *Chairman.*] DID you reside in British Guiana?—I did.

W. R. Sandbach, Esq.

1139. At what period?—I was there twice; first, in the years 1831 and 1832; and afterwards at the end of 1839, till about the middle of 1842.

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1140. Continuously?—Continuously from 1839 to 1842.

1141. Were you a member of the Combined Court?—Yes, after the session of 1840; I think I was not present during the session of 1840, if I recollect rightly.

1142. Do you recollect the circumstances connected with the civil list of 1841?—Yes.

1143. Will you state those circumstances?—The civil list was proposed by Sir Henry Light in 1840. An amendment was proposed to that on the part of the colony. Then the Combined Court was adjourned, the supplies were stopped, and after that Sir Henry Macleod came over from Trinidad to arrange the civil list.

1144. In what way were the supplies stopped upon that occasion?—The question upon which they were stopped was the Berbice Acre-money. The court was adjourned by the Governor on the 18th of May 1840 *sine die.*

1145. What proceedings took place to induce the Governor to adjourn the court *sine die?*—On the 16th of May 1840, there was a motion made by Mr. Arrindell and seconded by Mr. Bishop. It was an amendment on the motion of Mr. Young, "that this court is most anxious to effect a union of the finances of the counties of British Guiana whenever such union can be accomplished with justice to all parties, by the means for redeeming the Berbice paper currency being secured and made payable out of the money or funds reserved for that especial purpose, or intended so to be, by the first section of the civil list ordinance of the 8th of February 1836; and that this court will not proceed with the estimate until it is satisfied that the means of redeeming the Berbice paper currency are secured, and rendered available out of the Acre money, the fund mentioned in the aforesaid ordinance, but omitted in the civil list ordinance passed by the Honourable Court of Policy on the 5th of May."

1146. Was that motion carried?—Yes.

1147. In the Court of Policy, or the Combined Court?—The Combined Court.

1148. Was there any other ground for the court being adjourned *sine die*, than the motion to which you have now alluded?—I find in the address of the

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Governor the following day, he states ; "As you have decided by your votes of Saturday that you will not proceed with the estimates of the current year ; and as you have not confined your objections to the form of the estimate, or contented yourselves with refusing to pass such items as relate to Berbice, but have come to this conclusion on the very first item being read, viz., that for the civil list of the present year, which is wholly unconnected with the Berbice paper currency, and as you will not proceed unless an additional security or guarantee is given, which it is out of my power to accord, this court stands adjourned *sine die*."

1149. Mr. *Hume*.] Are the Committee to understand by your former expression of the supplies being stopped, that you refer to the adjournment of the court by the Governor because they would not accede to those conditions proposed in Mr. Arrindell's note?—Yes.

1150. There was no other resolution by the Combined Court that they would not grant any supplies beyond those which you have stated?—I believe not.

1151. Sir *J. Hogg*.] Do you consider the resolutions which you have read equivalent to a stoppage of the supplies by the Combined Court?—I consider that the adjournment of the Combined Court *sine die* amounts to a stoppage of the supplies, because it is only by that court that the supplies can be voted.

1152. Do you consider the resolutions which you have read amount to a declaration by the Combined Court that they would stop the supplies?—Yes.

1153. Mr. *Hume*.] What did you mean by your expression respecting acre-money; the resolution was to the effect that they would not proceed to vote the supplies till certain concessions respecting the acre-money were made?—I meant this: by the civil list of 1836 the Berbice acre-money was to be specially applied to the redemption of the Berbice paper currency. By the civil list ordinance of 1840 the Berbice acre-money was applied to the general funds of the colony, upon which the civil list was made the first lien, thus doing away with the security for the redemption of the Berbice paper money. I believe I am correct in what I state.

1154. I understand you to say that certain paper money before 1836 was issued on the security of being paid by the acre-money, and that the cause of the objection taken by the Combined Court was, that that acre-money, set aside in 1836 as security for the paper money out, had been, by the civil list of 1840, applied towards the payment of the civil list generally, and not specially to that paper, as originally intended?—I believe that is quite correct.

1155. Mr. *Hawes*.] Applied to the payment of the civil list, or appropriated to the general funds of the colony?—Appropriated to the general funds of the colony, upon which the civil list has the first lien.

1156. Mr. *Hume*.] Were you a member of the court at that time?—I cannot exactly remember the date of my appointment, but upon looking at the minutes I do not find my own name till December 1840. At the time when the adjournment took place, in May 1840, I was not a member; I was elected between May 1840 and December 1840.

1157. You are only able to state, from documents before you, that such appears to have been the ground of objection on the part of the court against granting the estimate till the previous matter should be settled?—I derive it from this information.

1158. *Chairman*.] Did the court remain adjourned till the arrival of Sir Henry Macleod?—Yes.

1159. At what date?—Towards the end of December 1840.

1160. Mr. *Hume*.] Who was the governor of the colony between May and December?—Sir Henry Light.

1161. Was any court called between those two dates?—No.

1162. *Chairman*.] Was not the court induced to pass the civil list by an implied promise that immigration from all parts of the world should be permitted?—Yes.

1163. Mr. *Hawes*.] What civil list do you speak of?—That of January 1841. It was by an implied promise that we should have such an immigration ordinance as we desired to have.

1164. Including immigration from all parts of the world?—Such as we desired to have; that was from all parts of the world.

1165. Was there any promise or pledge implied that such an immigration ordinance

ordinance would be sanctioned by the Governor and by the Government at home?—There was no formal promise of any kind made.

1166. *Chairman.*] Will you state what took place between the members of the Combined Court and Sir Henry Macleod, with reference to that subject?—When Sir Henry Macleod arrived he invited us to explain to him, before we went into court, the differences which had arisen between Sir Henry Light and the court. All those explanations took place privately. We were told by him that he could not make any specific bargain rendering the immigration ordinance contingent upon the civil list ostensibly, but that if we passed a civil list he would pass an immigration ordinance.

1167. Did you enter into explanations with him with reference to your views of what the immigration ordinance ought to be?—Those who met him did. I was not one of the parties who met him. We did not all go.

1168. Was such an immigration ordinance passed at the time as satisfied the Combined Court?—Yes.

1169. Was it confirmed by the Colonial Office?—It was never formally confirmed.

1170. Mr. *Hawes.*] You do not mean to imply by that that it was not in operation?—I do not mean to imply that it was not in operation.

1171. *Chairman.*] The civil list was confirmed?—Yes.

1172. Was there any disappointment expressed at the non-confirmation of that immigration ordinance by the Combined Court?—In 1842 I find resolutions of the Combined Court, of which one is, "That this Court, taking into consideration the depressed state of the colony, and referring to its repeated declarations, that the civil list was only granted in perfect reliance upon a scheme of extensive immigration being promoted by Her Majesty's Government, and that it would be impossible for the colony, without such relief, to bear the burthen of taxation imposed upon it, finds that the result justifies these declarations, and that the country is now unable to bear the burthen of the present civil list, as well as other heavy charges for religious and charitable institutions." That was upon the 17th of May 1842.

1173. What do those "repeated declarations" refer to?—Memorials and petitions, and representations of various kinds, sent by the inhabitants, and also statements in court.

1174. In reference to what subject?—The necessity for immigration.

1175. Are the Committee to understand that those were all with reference to immigration?—Generally they were. In October 1839 a petition of the inhabitants of British Guiana was transmitted to Her Majesty's Government; that was one of those declarations to which I referred.

1176. The question referred to declarations after the passing of Sir Henry Macleod's Ordinance?—I have before me "The humble memorial of the undersigned inhabitants of British Guiana to the Right Honourable Lord John Russell, Her Majesty's principal Secretary of State for the Colonies." It contains this passage: "That the Combined Court, in support of the said Bill, and in furtherance of the views expressed in the petition to Her Majesty, did, upon the 22d January 1841, address a petition to Her Majesty, copy of which is herewith respectfully submitted. That subsequently to the proceedings above detailed, the Combined Court, imbued with a deep sense of the importance of the measures propounded in the documents already referred to, did, upon the 19th June 1841, being then about to close the Session of the present year, and not having, up to that time, received any intimation of the fate of the Bill forwarded for Her Majesty's approval, by his Excellency Sir H. Macleod, renew their request to His Excellency the Governor that he would be pleased to represent to the Right Honourable the Secretary of State for the Colonies their increasing conviction of the necessity of the measure, and their unabated desire that it should become law."

1177. To what Bill does that refer?—"That his Excellency Sir Henry Macleod, having on the 22d of January last, laid before this court the draft of an ordinance for authorizing the raising of a loan for immigration purposes, to be redeemed in a series of years, on the terms and conditions therein specified, which draft this court was pleased to approve, sanction and recommend to the favourable consideration of Her Majesty's Government, by whom no opinion on the subject has been as yet intimated, this court takes the present opportunity to renew respectfully their request to his Excellency the Governor, that

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he will be pleased to represent to the Right Honourable the Secretary of State for the Colonies their increasing conviction of the necessity of this measure, and their unabated desire that it should, at the earliest possible period, become law."

1178. That refers to a loan ordinance?—It refers to a loan ordinance.

1179. When was that loan ordinance introduced?—In January 1841, by Sir Henry Macleod.

1180. At the same time that he introduced the immigration ordinance?—Yes, about the same time; it was in the same month.

1181. Were not the two sent home together for approval?—No, I think not.

1182. Mr. *Hawes.*] Are you sure that it was nearly about the same time that the ordinances were introduced?—Yes, they were both introduced by Sir Henry Macleod, who was only in Demerara about a month.

1183. *Chairman.*] Then they must have been sent home together if they were passed so near together?—Very nearly at the same time; if I recollect right Sir Henry Macleod did not complete the loan ordinance; I think he introduced it, and then referred it to the Combined Court because it was a Money Bill, and it was only completed after his departure.

1184. Mr. *Hawes.*] Under Sir Henry Light?—Yes.

1185. Sir Henry Macleod was there in January 1841?—He left in January 1841.

1186. *Chairman.*] When was the loan ordinance approved of by the Home Government?—I believe it was passed in 1844.

1187. Not till 1844?—I think not.

1188. So that the immigration ordinance without the loan ordinance was of little advantage to the colony till 1844?—It was not of the same advantage that it would have been, and that we wished it to have been. The colonists considered the immigration ordinance and the loan ordinance as belonging one to the other, and that without the loan ordinance the immigration ordinance was not complete.

189. Was not the Civil List Act renewed on the passing of the loan ordinance for seven years?—I believe it was at the same date.

1190. Was the loan ordinance therefore at that period the means of inducing the colonists to pass the civil list a second time in 1844?—I rather think that it was specially referred to by the members of the court when the civil list ordinance was renewed; in doing that they made special reference to the loan ordinance; some such expression as this I think was used, "We have the loan ordinance, we will pass the civil list."

1191. Was not it considered by the colonists unfair to make the immigration ordinance of 1841 dependent on the passing of a civil list?—Certainly it was.

1192. Mr. *Adderley.*] Was not that immigration ordinance allowed on all hands to be of vital importance to the prosperity of the colony?—Yes.

1193. Mr. *Hawes.*] And it was passed?—It was, by Sir Henry Macleod.

1194. *Chairman.*] Can you state what amount of immigration took place under that ordinance of 1841, between that date and the passing of the loan ordinance of 1844?—I cannot recollect what number of emigrants were introduced between the passing of that ordinance in 1841 and the passing of the loan ordinance in 1844.

1195. But the immigration ordinance without the loan ordinance did not produce the results which had been anticipated from it; was not that the case?—Yes.

1196. Was not there some delay in passing the tax ordinance of 1843?—Yes, there was.

1197. What do you mean by the tax ordinance of 1843?—I mean the ordinance passed for raising the taxes to defray the expenditure of the colony.

1198. What was the cause of that delay?—The dissolution of the Combined Court.

1199. Was the Combined Court adjourned *sine die* upon that occasion?—I do not recollect whether it was adjourned *sine die*, but the court was dissolved and there was a new election for all the financial representatives.

1200. Did the revenue suffer any injury by that dissolution?—I believe not.

1201. How was the injury prevented to the revenue as the taxes had not been voted?—There was an ordinance passed by the Court of Policy, obliging all

all persons who imported goods to give a bond that they would pay whatever duties should be levied by the tax ordinance when it was passed.

1202. By that means the revenue did not suffer in the meantime?—I believe it did not.

1203. Might not the same course have been adopted in 1848?—I suppose it might.

1204. Do you know any reason why that was not adopted?—I am not aware of any.

1205. Mr. *Hawes.*] You were not in the colony in 1848?—No, I returned from the colony in 1842.

1206. *Chairman.*] Has not there been a large import of goods into the colony since the expiration of the tax ordinance in 1848?—Yes, I believe there has.

1207. Would that occasion a very heavy loss to the revenue?—I have heard it said a very large loss.

1208. Would not that have been avoided if an Act had been passed requiring the importers to give a bond upon those goods, as was done in 1843?—Yes, I think so.

1209. Mr. *Hawes.*] Supposing the Court of Policy to have been pleased to pass such an ordinance?—Of course.

1210. Of which you know nothing?—Of which I know nothing. I presume as they did it in 1843 they would have done it in 1848.

1211. *Chairman.*] The Governor did not propose it to them in 1848, did he?—I do not know whether he did or not. There is no doubt that it could have been done in the Court of Policy, because the Governor commands a majority in the Court of Policy; therefore if he had chosen to bring in such a Bill he could have carried it.

1212. Were not the import duties made specially applicable to the payment of the interest and redemption of the loan raised for immigration purposes?—By the loan ordinance, I think they were.

1213. Have not those duties been applied to the payment of the civil list since the tax ordinance expired?—I believe whatever funds are in the chest of any kind have been applied to the payment of the civil list quarterly, and those funds must include the import duties.

1214. Then it is your opinion that had the Governor passed an ordinance in the Court of Policy he might have prevented the great loss which the revenue has now sustained?—That is my opinion, certainly.

1215. Mr. *Hume.*] Do you found that opinion upon the power he has of carrying any resolution in the Court of Policy which he thinks fit?—Upon that, combined with my knowledge that such an ordinance was passed in 1843, and my belief that that ordinance protected the revenue from loss in 1843.

1216. *Chairman.*] Does not the abolition of the import duties destroy what was the special security of the bondholders of the loan?—With the exception of the small *ad valorem* per-centage, which is the only duty levied now.

1217. Their security is a general security upon the colonial revenue, is not it?—After the civil list, it is.

1218. Do you happen to know what were the reasons for the refusal of the Combined Court to proceed in voting the supplies in 1848?—Because they were not allowed to make those reductions in the expenditure which they desired to make.

1219. Sir *J. Hogg.*] Were you in the colony in 1848?—No, I was not.

1220. When did you leave it?—In 1842.

1221. *Chairman.*] How do you know that to be the case?—By correspondence.

1222. Is it the case that the planters are now in great distress?—Yes.

1223. Are there many estates under sequestration?—I believe there were 33 estates under sequestration at the beginning of this year.

1224. Are there many more likely to be so?—I think there are many more.

1225. Do you think that creditors in this country refrain from proceeding against the estates, because they could gain nothing by doing so; that is to say, the estates would fetch nothing in the market?—I think the creditors, both in this country and in the colony itself, are restrained by that feeling from proceeding against the estates.

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1226. You think that if there were a prospect of the estates being sold at a price which would pay the creditors a fair dividend, many which are in debt would be put up to sale?—Yes.

1227. Was not there a strike among the labourers in the year 1848?—Yes; at the beginning of 1848 there was.

1228. Was not all the work which was done on the estates at the beginning of the year 1848 done by the immigrants?—I believe that almost the whole, if not the whole, of the work done upon the estates in the first two months of 1848 was done by immigrants.

1229. Was the effect of that strike to reduce wages?—Yes.

1230. Was there not a similar strike in January 1842?—Yes, there was.

1231. Was the effect of that strike to reduce the wages?—No; the planters had to yield to the labourers then.

1232. What was the occasion of the difference in the result between the two strikes in 1842 and 1848?—I think there were more reasons than one for the difference. I think it was partly because the immigrants which had come into the colony in the meantime enabled the planters to continue part of the work upon their estates; and I think also the different course pursued by the Governor upon the two occasions had some effect.

1233. What was the course pursued by the Governor in 1842?—He opposed the endeavour of the planters to restore order upon their estates, and I believe told the people to sit down quietly in their houses till he heard from England.

1234. Did not he tell them in 1842 not to submit to reduced wages?—I cannot say positively that he told them in so many words not to submit to reduced wages; deputations of the negroes went up to Georgetown, and saw the Governor, and when they returned they said that he had told them to sit down quietly in their houses till he could hear from England.

1235. Do you happen to know what was the course adopted by the Governor in 1848?—If I remember right, he issued a circular explaining the necessity that the planters were under to reduce their expenses in every way, and recommending the people to submit to a reduction of wages.

1236. Are you of opinion that that course had the desired effect of inducing them to submit?—I am of opinion that it materially aided the endeavours of the planters to reduce the wages.

1237. Are you aware that in consequence of the stoppage of the supplies Lord Grey has prohibited the transmission of captured Africans to British Guiana?—I know that a vessel called at St. Helena to receive captured Africans and take them to Demerara, and she was unable to take any; she was offered them either for Trinidad or Jamaica, but was told that Lord Grey had forbidden their transmission to British Guiana.

1238. Mr. *Hawes.*] What was the name of the vessel?—The St. Abbs.

1239. Have not the Africans, whether captured or free, proved the most valuable kind of immigrants which have been received in the colony?—They have been always the most healthy and the best to work.

1240. Do you consider that a serious blow to the colony?—I do not think it could have received a more severe blow of the kind.

1241. Had not preparations been made at great expense for the proper care of the immigrants on the estates?—Yes.

1242. Would not all that expense be thrown away if immigration were prohibited?—Certainly.

1243. Do you attribute the refusal of the Court of Policy to pay the civil list to the inability of the country to bear the taxation, and to a feeling that faith has not been kept by the mother country?—I consider that they have found themselves sinking gradually into a state of utter ruin, and that they feel the necessity of reducing the expenditure in every way that they can, and more particularly since they find themselves exposed to competition with slave-labour sugar they feel more the impossibility of working their estates to a profit.

1244. Would you, as a member of the Combined Court in 1841, have voted the civil list if you had believed that you were to be exposed to a competition with slave-labour sugar?—I certainly would not if I had believed that we were to be exposed to a competition with slave-labour sugar, without being previously prepared for it by an unlimited supply of labour, and also by the adoption of proper rules for the regulation of society.

1245. Do you mean by rules for the regulation of society, regulations with respect to the work of the labourers?—Yes; I mean such laws as hiring Acts, renting Acts, trespass Acts, and vagrant Acts; such laws as existed in this country.

1246. Are there no laws of that description existing in Guiana?—There are now. I believe that they were passed last year; I think they were passed in 1848.

1247. But the colony has been left from 1841 to 1848 without any such laws?—From 1838 to 1848. I am right I believe in saying that it has been so left.

1248. Do you think that if immigration on the scale contemplated in 1841 had been effected by the Government, the colony would probably have been in a condition to maintain the civil list?—With the other laws which I have mentioned, I think it would.

1249. You are not aware of any vagrant laws previous to those of 1848?—I know there had been repeated applications to have those laws passed. I speak under correction; but I believe they were only passed last year.

1250. Are you aware of Mr. Rose having been elected a member of the Combined Court when he was rejected by the Governor as a member of the Court of Policy?—It is the Court of Policy itself, and not the Governor, who chooses the members.

1251. Is not the way in which it is done this, that two names are sent up to the Governor?—Two names are sent up to the Court of Policy, and the court elects one of the two parties to be the sitting member.

1252. Has the Governor the power to negative that election?—By his casting vote he can.

1253. Sir *J. Hogg.*] As Governor, has he a veto upon the election of a member?—I am not aware whether he has or not.

1254. *Chairman.*] Was not Mr. Rose twice named with another gentleman, and rejected by the Court of Policy?—Twice at one period.

1255. Mr. Rose was not chosen upon either occasion?—I think upon neither of those two occasions was he chosen.

1256. Do you know anything of the persons whose names were sent up with that of Mr. Rose upon those two occasions?—The first was Mr. Arrindell, and the second was Mr. Pearce.

1257. Who is Mr. Pearce?—He was an inhabitant of Georgetown, in Demerara.

1258. Was not he sent up because he was supposed to be so unlikely a person to be chosen, that the Court of Policy had no other resource than to choose Mr. Rose?—I believe he was.

1259. They nevertheless chose Mr. Pearce?—I think they chose Mr. Pearce.

1260. Was not Mr. Rose immediately after his rejection elected a member of the Combined Court?—Yes; there occurred an election for a financial representative.

1261. Can you give the date?—I do not think I have the date of that circumstance, but I think it was in 1841.

1262. Can you give the Committee the date of the period when the name of Mr. Rose was sent up to the Court of Policy; were you in the colony at the time?—Yes. I believe it was in 1841.

1263. Mr. *Hawes.*] When his name went up with Mr. Pearce's?—Yes.

1264. The proceedings of the Court of Policy will, of course, give us those dates?—I presume so.

1265. As a member of the Court of Policy, do not you know the fact?—I was never a member of the Court of Policy. I was a member of the Combined Court.

1266. *Chairman.*] Did not the Combined Court wish to make the duration of the civil list entirely dependent upon the facilities afforded for immigration?—I think in 1840 they offered to make the civil list of 21 years' duration, provided they had immigration from all parts of the world guaranteed to them during the same time.

1267. Mr. *Wilson.*] The words you use are, "from all parts of the world"?—I am speaking from memory in using them.

1268. Mr. *Hawes.*] Can you refer to any document or evidence to show that?—I have here the proceedings of the Combined Court on the 24th of

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April 1840, in which Mr. Young moved, "That this court acquiesces in the civil list proposed by Her Majesty's Secretary of State."

1269. Mr. Young was the colonial secretary, was he not?—Yes. Mr. Arrindell moved an amendment, in which he said, "We do now hereby humbly offer and tender to Her Majesty, for a term of 21 years, to commence from the 1st of January 1841, the annual sum of 42,893*l.* 9*s.* 0½*d.*, or 205,888 dollars 57 cents, for defraying the expenses of the civil government of British Guiana, upon the terms and conditions following." The third condition is, "That under such rules and regulations for their due care, protection, and comfort, as may be deemed reasonable, all restraints upon immigration of free labourers into this colony from all parts of the world, unfettered by indentures, be removed."

1270. Did not that show that in their opinion immigration was the only source from which they expected to derive permanent prosperity?—Yes.

1271. Were not there some parties, however, who expressed confidence in the prospects of the colony, independently of immigration, and who considered it to be in a most flourishing condition in 1840 and 1841?—There were parties in the colony who constantly expressed that opinion.

1272. Are those parties still of the same opinion?—I have not had an opportunity of hearing them express an opinion for a long time, but they have, every one of them, been ruined; I believe every one has been a bankrupt since that period.

1273. Were not there parties of great experience who expressed their apprehension for the future prospects of the colony, unless steps were taken for the supply of labour and the regulation of the labourers?—A great proportion of the inhabitants, the older inhabitants, did; the men who were considered the most experienced inhabitants of the colony were of opinion that the colony was rapidly retrograding.

1274. Even at that period?—Yes.

1275. Mr. *Hawes.*] In 1840?—In 1840.

1276. *Chairman.*] Has not the result shown that those parties judged more accurately than the former?—The colony has certainly retrograded.

1277. Mr. *Hume.*] Have you been connected in business with Guiana since you left the colony?—Constantly.

1278. *Chairman.*] You have large estates in Guiana now, have not you?—Yes.

1279. Mr. *Hume.*] Where is your house of business?—In Liverpool.

1280. Have you, from the period you left that colony, been in constant correspondence with residents there?—Constant.

1281. What you have now stated are the results of your own knowledge, as far as your correspondence and connexion with the colony exist?—Yes; I derive my information partly from my own correspondence, partly from conversations with parties who have returned from the colony, and partly from the colonial newspapers, which I receive regularly; the colonial gazette of the colony I receive regularly, and from that I derive a great deal of my information.

1282. Does that gazette contain copies of official documents, and proceedings of the Court of Policy and the Combined Court, from time to time?—It professes to contain reports of the proceedings.

1283. Mr. *Wilson.*] You stated that the civil list of 1841 was passed with the understanding that there should be an immigration ordinance passed along with it?—Yes.

1284. You afterwards stated that the civil list of 1844 was passed on condition that there should be a loan ordinance passed?—I said I believed that they were put quite in connexion with each other.

1285. In answering another question, you said that from the first to the last, the immigration ordinance and the loan ordinance were always connected as one and the same thing?—They were considered by the colonists as a part of the necessary laws to be passed for the maintenance of the colony.

1286. From 1841 upwards?—Certainly.

1287. Was there any mention of a loan ordinance in 1841?—Yes.

1288. Will you refer the Committee to any document or any paper in which any mention of a loan ordinance is made in 1841. You were then a member of the Combined Court; was the subject discussed in the court in 1841?—I think it was discussed in the Court of Policy, and not in the Combined Court.

1289. When

1289. When Sir Henry Macleod came out, at the same time that you say they proposed as a condition to the civil list that there should be an immigration ordinance, was there anything said to him as to the loan ordinance?—Yes.

1290. Did he disallow it?—No; he introduced it into the Court of Policy, and then, if I remember right, referred it to the Combined Court, as being a money bill.

1291. The loan ordinance in 1841?—Yes; I believe I am correct in saying it was so.

1292. You say the immigration ordinance was passed?—Yes.

1293. The loan ordinance was not passed?—Not by Sir Henry Macleod. It was introduced by him into the Court of Policy.

1294. The civil list was passed?—Yes.

1295. The immigration ordinance was passed, but not the loan ordinance?—Not the loan ordinance.

1296. Was not the civil list, which you say was passed as contingent upon the immigration ordinance, without any connexion with the loan ordinance?—No; in all our discussions with Sir Henry Macleod we mentioned both the immigration ordinance and the loan ordinance.

1297. Then you must have consented to withdraw your demand in regard to the loan ordinance, because you passed the civil list upon being given only the immigration ordinance?—We did, upon Sir Henry Macleod introducing the loan ordinance, the passing of which we had no reason to doubt.

1298. But it was not passed at the same time?—It was not passed while Sir Henry Macleod was in the colony.

1299. When was it passed?—Almost immediately, I think, after he left. I cannot exactly recollect that date, but I think it was within a very short period of his leaving.

1300. I understood you to attempt to show some connexion between the voluntary renewal of the civil list, in 1844, and the loan ordinance; what connexion had the renewal of the civil list, in 1844, with the loan ordinance?—I think the proceedings of the Court of Policy will show that.

1301. You told the Committee before that it was passed upon the faith of a loan ordinance; if the loan ordinance was passed shortly after 1841, what connexion could the renewal of the civil list, in 1844, have with it?—I do not remember the circumstances now. No loan ordinance was passed till 1844.

1302. You told the Committee before that the civil list of 1844, which, as far as we know, appears to have been passed unconditionally and voluntarily, had reference to a loan ordinance; what reference had it to a loan ordinance, and to what loan ordinance?—I cannot remember at this moment whether the loan ordinance which was passed by Sir Henry Light, in 1841, was confirmed or not.

1303. You said just now it was contingent upon a loan ordinance?—In 1844.

1304. I want to know what loan ordinance it was contingent on if the loan ordinance was passed in 1841?—I believe that the loan ordinance which was passed by Sir Henry Macleod was not confirmed at home.

1305. Then the original civil list was not passed in consequence of a loan ordinance being passed; you told us just now that you believed it was passed a short time afterwards?—The civil list was passed by the court because we had an assurance from Sir Henry Macleod of an immigration ordinance being passed, and also of a loan ordinance being passed; he passed a civil list ordinance and an immigration ordinance; he introduced a loan ordinance, and referred it to the Combined Court as a money bill; he then went away, and it was passed shortly after by Sir Henry Light.

1306. I am to understand you that the loan ordinance was not passed till 1844; that there was no loan ordinance in fact till 1844?—My belief is, that the loan ordinance which was passed by Sir Henry Light in 1841 was disallowed by the Government at home.

1307. When was it allowed?—In 1844.

1308. For the first time?—I believe for the first time.

1309. Are you aware that Lord Stanley, in the autumn of 1843, as a general measure for the colonies, without reference to British Guiana alone, sent a circular to all the colonies, empowering them to pass ordinances for loans for certain sums of money?—I am aware that he did send a circular about that date, and I believe it did authorize the raising of money by loan.

1310. It

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1310. It was a circular from the Colonial Office, authorizing the Governor of each colony, if the local legislature chose to pass ordinances, to raise certain loans, and the Home Government would guarantee the payment of those loans, or at all events would allow the ordinances; was it in consequence of that circular that the loan ordinance of 1844 was passed in Guiana?—I believe it was.

1311. What connexion had the ordinance of 1844 with the civil list?—That ordinance was brought forward in 1844, and a proposal for a renewal of the civil list was before the court at the same time.

1312. You have told the Committee that the civil list of 1844 was made contingent upon the loan ordinance being granted. Now you tell us that the loan ordinance was passed, not as a reason for your granting the civil list, but in consequence of a general circular which Lord Stanley sent to all the colonies in 1843?—I believe I said, that I thought some such words as these had been used: "We have our loan ordinance; we will renew the civil list."

1313. You mean merely by that to say, that the colony was then satisfied that it had already got the loan ordinance, and therefore they were willing to grant the civil list?—In consequence of getting the loan ordinance, they were willing to renew the civil list.

1314. They did not make the civil list contingent upon getting the loan ordinance, but being satisfied that they had already got the loan ordinance, they raised no objection to the renewal of the civil list?—I think if they had not had the loan ordinance they would not have renewed the civil list.

1315. The loan ordinance could not have come into question at that time, for you had already got it; you could not therefore have made the civil list contingent upon the loan ordinance which you had already obtained?—I think so.

1316. Are you enabled to tell the Committee that the civil list of 1844 was passed contingent upon any loan ordinance at all?—I gave in the answer to the first question, the words, as far as I could recollect them, which were used in the court: "You are giving us a loan ordinance, therefore we are willing to renew the civil list."

1317. That was the language used in the court?—As far as I can recollect, I believe such an expression was used in the report of the proceedings of the court, but I am speaking from memory.

1318. You were not in the court?—No.

1319. You were not in the colony?—No.

1320. You are only speaking now from memory?—As to those words, I am only speaking from memory.

1321. You are only speaking from memory, are you, as to the proceedings of the court altogether upon the civil list?—Yes.

1322. From information derived from reading the reports of the court in the colonial newspapers?—Yes, and from my ordinary correspondents informing me that such an ordinance had been passed.

1323. The civil list of 1844, as far as the court and governor were concerned, was passed without any condition whatever?—I think quite the contrary. It was passed upon getting a loan ordinance.

1324. You say the expression was, "We have got a loan ordinance, now we will pass the civil list;" that could not therefore be a condition, though it might be a reason for their conduct?—The proceedings of the court will show exactly what took place. Supposing the loan ordinance were passed to-day and the civil list ordinance brought forward to-morrow, a member, it appears to me, might very well say, We have got the loan ordinance; we are willing to renew the civil list ordinance.

1325. In that case the civil list is not made contingent upon anything further that the Government is to do?—It is passed because of what the Government has done.

1326. The court might have been satisfied with that which was done; was there anything which the Government was expected to do after that in consequence of the civil list being granted?—The Government was expected to confirm the loan ordinance.

1327. Did the Government confirm the loan ordinance?—Yes.

1328. Mr. *S. Wortley*.] Was that a consideration for granting the civil list?—Yes.

1329. Sir *J. Walmsley.*] Was the civil list passed in the expectation that the loan ordinance would be confirmed?—Certainly.

1330. Mr. *Wilson.*] Can you tell us the date when the loan ordinance was introduced into the Combined Court?—No.

1331. Can you tell the Committee whether it was under discussion at the same time that the civil list was under discussion?—To the best of my recollection, it was.

1332. You connected the two things together; I wish to know what connexion the one had with the other; were they under discussion at the same time?—I cannot say positively.

1333. The loan ordinance was passed by the Combined Court prior to the passing of the civil list?—I only draw that inference from the words I happened to remember, "We have the loan ordinance; we will grant the civil list;" that is the only foundation I have for thinking so.

1334. Was the loan ordinance passed as a consequence of the circular which the colony had received from Lord Stanley the preceding autumn?—I presume it was introduced into the court in consequence of that.

1335. Having had the sanction of the Home Government for the introduction of the ordinance, the colony felt every security as to its being allowed at home?—Not every security, I think. Having believed in 1841 that the loan ordinance introduced by Sir Henry Macleod would be confirmed by the Home Government, and having been disappointed in that, they had not every assurance that that which was passed in 1844 would be confirmed.

1336. The loan ordinance of 1841 was not passed in consequence of a circular received from the Colonial Office at home enabling them to do it. Lord Stanley's circular enabled the Governor to acquiesce in such an ordinance; there was no such circular in 1841, was there?—Not that I am aware of, but Sir Henry Macleod came out with certain instructions; he allowed us quite to believe that the loan ordinance would be confirmed.

1337. You were asked this question before, whether it was not considered by the colonists to be unfair to make the immigration ordinance depend upon the passing of the civil list? You replied, that the colonists did consider it very unfair. You were a member of the Combined Court, were not you?—In 1841 I was.

1338. The civil list is a fund from which the public officers of the colony are paid, who carry on the government of the colony?—Some of them.

1339. Who are the parties who are particularly interested in an immigration ordinance?—Every person in the colony.

1340. What class are particularly interested in it; is not it the planters?—Yes.

1341. Do you think that the labourers are particularly interested in having additional competition brought in to reduce their wages?—They are interested in the progressive improvement of the colony.

1342. You have been asked whether you considered that the colonists thought it unfair to make immigration dependent upon the civil list; do you think it was wise on the part of the Combined Court and the Court of Policy, who had the responsibility of the government of the colony under their care, to refuse to pass the civil list unless they could get the immigration ordinance, thereby throwing the whole colony into confusion?—The court never did refuse to pass any civil list; they moved an amendment upon the civil list proposed by Sir Henry Light, but they offered a civil list.

1343. What was the nature of the amendment which was moved?—It was the amendment moved by Mr. Arrindell, which I have read.

1344. What was the civil list which they offered?—A civil list of 42,893*l.* 9*s.* 0½*d.*; it was proposed that all the revenues which formerly belonged to the Queen's chest should come into the general ways and means; that an import duty not exceeding two and a half per cent. *ad valorem* upon articles the origin and manufacture of the United Kingdom should be levied; that all restrictions on the immigration of free labourers should be removed; that there should be at the same time allowed the power of raising sums of money upon loan for the promotion of immigration; that on the death of any of the pensioners provided by the civil list such pension should enure to the benefit of the colony. Those are the conditions.

1345. Were any of those conditions assented to?—Not at that time.

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1346. Then there was no civil list offered except upon those conditions?—Not at the time.

1347. I put the question again to you. Do you think it was wise on the part of the court, who had the responsibility of the civil government of the colony, to refuse the civil list excepting upon such conditions, thereby throwing the colony into general confusion?—Yes, I do.

1348. You think it was wise?—I think it was wise.

1349. Will you tell us what are those particular conditions which you think so essential as to have rendered it wise?—I think the condition was wise that every means should be afforded by immigration to replace the labour of which the planters had been deprived by emancipation, in order to maintain the cultivation of the colony.

1350. Was there any civil list offered unconditionally at that time?—No.

1351. Were you a member of the court at that time?—No. I was afterwards a member of the court; I came in after the session of 1840, before the arrival of Sir Henry Macleod.

1352. You were asked the question, whether in 1841, as a member of the Combined Court, you would have voted for the civil list of that year if you had believed that slave-labour sugar would have been admitted into this market; I think the answer which you gave was, as nearly as possible, this: that you would not have voted for the civil list if you had believed that slave-labour sugar would ever have been allowed to come into this country: was that a question which was ever discussed in the Combined Court at that period?—My answer was, that I would never have agreed to pass that civil list if I had believed that slave-labour sugar would have been admitted to consumption on the same terms as British plantation sugar, until the colonists had been enabled by immigration and proper regulations to sustain the competition. That was the scope of my answer.

1353. Then you went on to say, and also unless such laws had been passed as would enable you to repress vagrancy, and generally to give you a very tight hand over the labourers in the colony?—I did not say so; I think I said, such regulations as existed in this country.

1354. Were such regulations which you have referred to in your answer proposed or made in 1841?—Not in 1841, I think; but, if I remember correctly, in 1838, upon the cessation of apprenticeship, certain ordinances were passed in the colony, founded upon the laws in existence in this country, and also upon laws that had been established at Antigua in 1834, and had been in operation there, which ordinances were disallowed by the Government at home.

1355. That was in 1838?—In 1838.

1356. I think you afterwards told the Committee that there was no vagrant law passed between 1838 and 1848?—That is my impression; to the best of my recollection, such ordinances were passed only last year.

1357. Being a member of the court in 1841, when the civil list was under discussion, did you make it a condition to the passing of that civil list that such laws should be passed at the time?—I do not think we did.

1358. You have said to-day, in reply to a question from the Chairman, that you would not have voted for a civil list in 1841 had not such laws been passed?—I do not think I said so.

1359. As far as you know, there was no such regulation as you describe existing from 1838 to 1848?—That is my impression.

1360. You say that in 1841 you would not have consented to a civil list unless such laws had been passed?—You must take the whole of my answer, if you please, and not a part of it.

1361. Am I to understand you that in the answer to the question to which I have referred, you meant to say that you would not have voted for the civil list if slave-labour sugar had been introduced unless you had had vagrant laws accompanying it?—What I meant generally was this, that I would not have voted for that civil list if I could have believed that slave-labour sugar would have been introduced into consumption in this country till by immigration and by proper laws for the regulation of society the British colonies had been prepared for that competition.

1362. Towards the latter part of your examination you said that you had not been in the colony since 1842; the information you have given us to-day is chiefly

chiefly gleaned from your own private letters and the papers of the colony. As far as you can learn from the newspapers of the colony, are they of opinion that the Combined Court acted rightly in stopping the supplies in 1848?—Yes, I gather from the different newspapers that they are so. I have seen three newspapers this year, and I gather from them that the general body of the inhabitants does approve of the conduct of the Combined Court.

1363. What newspapers do you refer to?—I refer to the "Royal Gazette," and to the "Colonist," and to the "Standard," I think it is called.

1364. You refer to the "Royal Gazette"; do the writings in the "Royal Gazette" approve of the course pursued by the Combined Court?—No; the articles in the "Royal Gazette" have invariably upheld the proceedings of the Government section of the Court of Policy.

1365. You consider that the Government paper of the colony, I suppose?—Yes.

1366. Is the "Colonist" a Government paper?—No.

1367. Is the "Colonist" a paper in strong opposition to the Government?—It is a paper opposed to the Government.

1368. Have you read anywhere such strong protests and such strong writing against these very proceedings of the Combined Court as in the "Colonist" newspaper?—I do not know.

1369. If you have read the paper, you must know that the editors write strongly in almost every number against the proceeding of the Combined Court in stopping the supplies?—I do not know that.

1370. Do they write in favour of it?—I do not recollect.

1371. Have you read that paper? You say that that is one of the papers which you have been in the habit of seeing these last three months?—I have not read every article in the paper.

1372. Mr. *Villiers.*] You have not been in the colony since 1842?—No.

1373. Everything you have stated to the Committee since that time depends either upon hearsay evidence, or upon casual information which you may have picked up?—Upon the ordinary sources of information which a merchant connected with the colony was likely to look to.

1374. You have not been able to test any information which you have received respecting the colony by any personal inquiries from persons who have recently come from the colony?—I have held conversations with persons who have recently come from the colony, I may say constantly; I very often see people who have recently come from the colony, and always have conversed with them respecting the condition of the colony.

1375. As far as your own observation or accurate information goes, you cannot tell the Committee anything about the actual state of the colony at this moment?—I have not been there.

1376. You cannot tell the Committee that the colony is not able to vote the supplies at the present moment?—I can tell the Committee from the best information I possess, that the productions of the colony, that is to say, the sugar and rum produced by the colony, cost more than their value in the market; that the estates are worked at a loss.

1377. In referring to the supplies, the Committee are alluding to the revenue. You are not in a position to tell the Committee that the revenue cannot be collected; such a revenue as would enable them to vote the supplies?—I am not in a condition to tell the Committee what every item of the revenue would produce.

1378. You know nothing about the ability of the tax-payers in the colony to pay what is usually raised in it, do you?—I do not.

1379. Do you know anything about the import duties?—I know that the import duties which are levied now are only the *ad valorem* duties.

1380. Mr. *Hawes.*] That is since the stoppage of the supplies?—Yes.

1381. Mr. *Villiers.*] Do you know the actual amount of the import duties?—No.

1382. Do you know whether the consumption has been less in the colony than it was before?—It has been greater. I should think there has been an introduction of a larger quantity of goods since the stoppage of the supplies.

1383. In the year 1848 was there a large importation of goods?—I do not know.

1384. Do you know anything of the condition of the labouring population in the colony at all?—Yes.

1385. Do

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1385. Do you know what the condition of those people is who own 50 or 60 or 70 acres of land; there are such persons, are there not?—I do not think that there are.

1386. There are emancipated negroes who are owners of land, are there not, freeholders?—Yes.

1387. Do you know anything of the condition of those freeholders?—No, not much.

1388. You have stated the colony to be in a prostrate and sinking state at this moment?—Yes, I have.

1389. It is without reference to the labourers you are speaking?—It is with reference to everybody; to the whole colony.

1390. To those of whom you know nothing as well as those of whom you have some information?—To labourers as well as to every other class. (*The Witness was directed to withdraw.*)

[*The Witness was again called in.*]

1391. You will understand that the class of persons I referred to, whom I supposed you were not informed about, were the freeholders of the colony; I understood you to say that you knew little of their condition?—Yes.

1392. Am I to understand you to distinguish freeholders from labourers?—There are some freeholders who do work upon the estates, and some who do not.

1393. Do you know the proportion?—No.

1394. Do you know what the population of the colony is?—It is somewhere about 130,000, I believe.

1395. You could not classify the colony, could you, as to the condition of the people; how many are planters, how many freeholders, and how many labourers?—I think I have heard that there are not above 20,000 people who labour.

1396. Many of those are freeholders?—Some of them are freeholders and some are not.

1397. Do you know anything of the condition of those labourers who are not freeholders?—Yes.

1398. What would you state their condition to be at present?—Such a condition that they are not obliged to work any more than they please. They are not obliged to work regularly for their livelihood.

1399. What do you mean by speaking of that obligation; do you mean that they can, with a small amount of work, support themselves, or that there is no law which compels them to work?—I mean that a very small quantity of work is sufficient to provide them with all the necessaries of life.

1400. Do you mention that in order to describe them as being in a good and prosperous condition?—Yes.

1401. Then the labourers are well off at present?—The labourers at present are very well off.

1402. Therefore you must exclude them from that part of the colony which is in a prostrate and sinking condition?—No, I do not.

1403. They are prosperous?—At this moment they receive high wages for their work.

1404. That enables them to consume many necessaries and comforts of life?—It enables them to lay out money if they please.

1405. Do you know whether they are parties to refusing the supplies?—That depends upon whether they have a vote for the financial representatives or not. They are not members of the Court.

1406. Have you seen any newspaper which represents their opinions or views?—No; I have not seen any newspaper which professes to represent the opinion of the labourers, separately from every other class.

1407. You are not acquainted, therefore, with the opinions of the labourers?—I have never heard the opinion of the labourers expressed.

1408. When they have large wages to spend, I suppose that is the period when the revenue is prosperous?—I should think it was, so far as it depends upon the articles which they consume.

1409. Have you ever known them so well off as they are now?—I think they received higher wages before the year 1848 than they receive now. In that respect I may say that I have known them better off than they are now.

1410. Are

1410. Are the articles which they consume lower in price than they were?—I do not know.

1411. I think I collected from what you said, that you would not have voted the supplies in 1841 if you had contemplated the colonists being put into competition with the slave states, unless there had been a power to import immigrants from all parts of the world, and unless there had been such regulations as you thought necessary to suit the state of society in the colony?—I did not say that I would not have voted the supplies, but that I would not have voted for that civil list.

1412. I understood you to consider that it was necessary to have the power to import immigrants from all parts of the world, and to have such regulations as you have referred to in order to maintain a competition with slavery?—Yes.

1413. What is the fact with respect to immigrants now; have you the power to import immigrants?—No; not from all parts of the world.

1414. Will you state the exceptions?—The coast of Africa.

1415. Are you allowed to have liberated negroes?—Yes; we are not allowed to go anywhere we please to seek labourers.

1416. Is there any part of the world where you would go to which you are not now allowed to go?—I would go everywhere; to every part of the world where I thought I could get labour.

1417. Is there any spot in the world which you are now thinking of which you are precluded from going to?—I am precluded from going to the whole of the coast of Africa; I do not mean that I am precluded from going to every point upon the coast; I mean to say I may not go to any part of the coast where I please to go.

1418. Mr. *Hawes.*] State the parts which you may go to and those parts which you understand you are not allowed to go to?—I may go to Sierra Leone and to Cape Coast Castle, and I do not recollect any other place in Africa to which I may go.

1419. The Kroo Coast?—I believe I am required to go to the Kroo Coast through Sierra Leone.

1420. Are not ships allowed to go to the Kroo Coast under certain prescribed and published conditions?—I thought you could only go through Sierra Leone.

1421. You know the fact, do not you, as a merchant, that ships have been to the Kroo Coast seeking for emigrants under the authority of the Government?—I know, as a fact, that ships have had licences from the Government to go out to Africa.

1422. Do you or not know whether those licences included the Kroo Coast?—I do not.

1423. Will you now state the parts to which you understand you are prohibited from going?—I do not recollect that I am at liberty to go to any parts but those I have mentioned.

1424. Will you state specifically the parts from which you suppose yourself to be prohibited?—The whole of the remainder of the coast.

1425. What is generally known as the slave coast?—Yes; the slave coast included in the rest.

1426. Mr. *Villiers.*] What part of the coast is it which you complain of not being allowed to go to?—The whole.

1427. Where there are slaves?—Whether there are slaves or not.

1428. I take for granted it is not a grievance in the colony that they cannot resume the slave trade?—Certainly not.

1429. They would only go to those places where they would get labourers under contracts; they would not pay for them nor bring them against their consent?—They would neither pay for them nor bring them against their consent.

1430. And you believe that there are some points on the African coast which are now engaged in the slave trade, which would enter willingly into contracts with merchants coming from Demerara?—I believe that Her Majesty's Government might make arrangements by which people would be induced from the whole coast of Africa to go to the West Indies to work.

1431. You have no definite plan, have you? You do not know that the colo-

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nists have settled in their own minds any plan which would be advantageous to them, and which they have submitted to Government?—No, I do not.

1432. Is immigration going on now in Demerara; are immigrants being annually imported?—A few, I think.

1433. Is there any want of labour?—Yes.

1434. There is actually a dearth of labour?—Yes.

1435. Could you give the Committee any particulars of the requirements of the colony as to the number of labourers with reference to the land in cultivation?—I think there is not a sugar estate in cultivation in the colony which could not now receive, take care of, employ, and pay 50 labourers.

1436. Do you mean 50 more than they now have?—Yes; they could receive within the course of this year 50 labourers.

1437. In fact, am I to understand you that it is the want of the colony now that they should have more labour, for the purpose of carrying cultivation to a greater extent than it has been carried to?—They wish to increase their cultivation, certainly.

1438. Did you not allude to a certain number of estates which are now in the market for sale?—I said there were 33 estates under sequestration at the beginning of this year.

1439. Is that in consequence of the want of labour?—It is in consequence of the want of continuous labour.

1440. It is not from the want of labourers, but from the want of labourers working continuously?—The want of labourers working continuously.

1441. Do you suppose if you had many more labourers you could compel them to work continuously?—I believe if the proportion of labourers to the cultivation were increased, if the supply of labour bore the same reference to the demand that it does in this country, we should have continuous labour.

1442. Do you mean that if the whole circumstances were the same in the colony of Demerara as they are here, you could induce the labourers to work continuously?—No; I mean if there were so many people in the colony that the people rather sought for labour than the planters sought for labourers, we should have continuous labour.

1443. Do you know the extent of Demerara?—Within the bounds of the colony, no.

1444. Do you know if there is ever any squatting?—Yes.

1445. Is that going on still?—There are still squatters.

1446. There is plenty of unoccupied territory?—A great deal.

1447. Then if you had an increase of immigrants, what would be your means of preventing their squatting; how would you get continuous labour?—It would depend upon them.

1448. Whether they had a mind to squat or not?—Yes, unless laws are made to prevent it.

1449. So that you might have a constant stream of immigrants who would not work a bit better than they do now?—You might have a constant stream of immigrants, but I do not suppose you would have a constant stream of people who would only squat.

1450. They object to work continuously, do not they?—Most of the labourers object to work continuously.

1451. And by a very little labour they can support themselves?—Yes.

1452. You have now in force those regulations of society, as you term them, which you had not before?—They are in operation now.

1453. You are pretty much in the condition now, in fact, that you said you would have required to be in, in 1841, if you had then contemplated coming into competition with slave labour?—The colony is very far from it indeed.

1454. In what respect?—The people have acquired a habit of irregularity that you cannot now so easily control as you could have done if those regulations or those laws had been passed when they were first required.

1455. Those habits were acquired in the absence of those regulations?—They were.

1456. Now you have got the regulations, I suppose other habits will be formed?—I am afraid it will be very difficult to form other habits.

1457. You personally know nothing at all about it; you do not know how those regulations are working from your own observation, do you?—I do not.

1458. Do

1458. Do you know how many estates there are in the colony?—I think there are 311 mentioned in the almanac as being in operation in 1843.

1459. Have you made the calculation that you would require nearly 15,000 labourers in addition to those which you have at present?—I am quite certain that upon every estate with which I am connected I could receive and provide for probably 50 people at once, and I know many other estates which could receive them and provide for them equally well; it is upon that I founded my answer to the previous question.

1460. You say still that those people have contracted irregular habits, so that if you had more labourers you would hardly expect continuous labour?—I think the more labourers we have the more chance we shall have of obtaining continuous labour.

1461. Did you hear of a period of great prosperity in the colony in 1845?—I have seen despatches stating that it was in a state of great prosperity.

1462. Did you see anything else of any other description which led you to think that the colony was not prosperous at that time?—Yes.

1463. You refer to the Governor's despatches in 1845?—Yes.

1464. They described the colony as being very prosperous?—I believe they did.

1465. Do you say that you doubt whether the colony was prosperous or not at that time?—Yes, I do.

1466. Have you any reason for that doubt?—Yes.

1467. What reason have you for that doubt?—The results shown by the accounts of estates, for instance.

1468. Do you mean accounts of any particular estate?—Of many particular estates.

1469. Which you have looked at?—Yes.

1470. And you believe they were not prospering?—Yes.

1471. We are talking now of the whole colony: do you know if more land was brought into cultivation in 1845?—I dare say some land which had fallen out of cultivation was replanted.

1472. In 1845?—Yes.

1473. You do not know of any fresh land which was taken into cultivation?—I know of no fresh estates that were taken into cultivation.

1474. Do you know if money was plentiful at that time in the colony?—Yes, I believe it was.

1475. Do you know if labour was abundant at that time?—It was more abundant than it had been previously.

1476. Money was plentiful and labour was abundant, but you thought the colony was not prosperous?—Yes.

1477. Plenty of money and plenty of labour is not sufficient to make a colony prosperous, in your opinon?—Not at that time; there was plenty of money in the colony, because the owners of estates were destroying themselves. They were laying out their capital in the maintenance of their estates. The wages they gave to their people produced the quantity of money that was in the country, but the result of their having done so is shown by the number of estates which are under sequestration now.

1478. There was plenty of money during that period?—There was plenty of money sent to the colony for the employment of labour.

1479. It was the fault of the people in the colony therefore. It arose from imprudence on their part?—It was from a desire to maintain their estates.

1480. Do you know if the crops were abundant after that time?—Yes, the crops have been rather larger than they were; the last crop was larger than the previous crop, but it did not at all approach to what it used to be.

1481. What they complain of is the fall in the price of their produce, is not it?—That is one complaint which they make; that is one of the causes of their suffering, but that is not all which they complain of.

1482. With respect to the voting of the supplies, now you I believe consider that they would not have the means of doing it if they were so inclined?—I believe the colony is constantly falling into a lower and lower condition.

1483. Since 1848?—Longer ago than that.

1484. We have the period between 1845 and 1847, when there was abundance of money, abundance of labour, increased crops, and the labouring people in

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a good condition; therefore I presume that it was in 1848 that you observed the colony to decline?—I had observed the colony decline much before that time.

1485. Did you ever know it prosperous?—Yes.

1486. When was that?—The most prosperous time I ever knew was during the apprenticeship, from 1834 to 1838.

1487. Has it ever prospered since 1838?—As a whole, I should say it has never been really in a state of prosperity since 1838.

1488. Do you consider the increase in the produce of the colony any sign of its prosperity?—In order to decide whether there is prosperity or not, I should know what relation the cost of the produce bears to its value in the market.

1489. You think it possible, when the amount of the produce is least, the people may be most prosperous?—I think people may receive money when the colony is falling. As long as the proprietors of estates keep laying out money upon their estates, the labourers who receive it are well off.

1490. Do you think the abundant production of a colony is any test of its prosperity?—Yes.

1491. If you were to hear that the produce of the colony had been less in those years which you have specified as a period of prosperity in the colony, than at any subsequent period, how would you explain that?—I should ask what was the cost of producing that amount of produce.

1492. You would make some calculation about the cost?—Yes.

1493. Have you made that calculation?—If I found that the cost of the produce was a great deal less than the value of the produce in the market, I should then say that the colony was flourishing.

1494. Are the Committee to understand that you have made such a calculation between 1834 and 1838, the period of prosperity, and such a calculation also since 1838, or between 1838 and 1848?—I have made such calculations.

1495. Are you prepared to draw the inference which your opinion would lead to, that the cost was very much less than the value in the market between 1834 and 1848?—Yes, I am prepared to draw that inference.

1496. And that from an accurate inquiry and examination into the accounts of estates?—Yes.

1497. Will you give me leave to ask you what are your opportunities for examining into such a number of accounts as to enable you to form that opinion?—I have examined the accounts of estates.

1498. Mr. *Adderley*.] Your own?—My own and other people's.

1499. Mr. *Villiers*.] Were you there before the period of emancipation?—Yes, in 1831 and 1832 I was there.

1500. During the apprenticeship?—Before that.

1501. I presume it was expected that the colony was ruined when that Act passed, was not it?—It was expected that the ultimate effect of the Act would be the destruction of the colony; I think that the debates on the question of emancipation show what was expected to be the result.

1502. So far you were disappointed in that respect, for you say that four years after the Emancipation Act was the period of great prosperity in the colony?—It was no disappointment to me at all.

1503. You did not share in the apprehension of the consequences of the Emancipation Act yourself?—I was very young at that time.

1504. You have no doubt about the fact that four years after emancipation the colony was very prosperous?—I have no doubt of it.

1505. Can you tell the Committee why more capital was brought into the cultivation of land in Demerara after 1838 than had been before that year?—Because we were obliged to pay wages to the labourers for everything which they did after 1838, which we had not been obliged to do before.

1506. As far as I can collect from your evidence, and that of other witnesses, the people then considered the prosperity of the colony gone; since the time you say the colony has been declining, that is, between 1838 and 1848, there has been a great deal of capital expended in the colony, has not there?—In the effort to maintain their estates.

1507. I find the produce increased; I find the revenue increased, and the general condition of the population better; how do you account for that, if the prosperity of the colony has been declining?—Because the proprietors of estates

estates have expended all the means of which they were otherwise possessed in maintaining their estates.

1508. Have not estates been sold and changed hands a good deal since that time?—Some have.

1509. Has there been any difficulty in selling such estates?—There have been times when estates have been sold, and times when you could not sell them.

1510. Is there any disposition on the part of the black population to purchase estates?—There was.

1511. Do you mean that there is a change in that respect?—Certainly there is a change in that respect.

1512. Do you mean that the black population are unwilling to buy land now?—I believe they have not bought land latterly. I am not sure if there has not been some kind of a purchase a very short time ago, within the last month or two; but otherwise, certainly, the disposition of the people to buy land seemed to have ceased.

1513. When?—Perhaps three years ago.

1514. Three years ago there was an indisposition to purchase land?—In large quantities. There were not those large purchases of land that there had been before.

1515. I was speaking of purchases by the black population?—The black population purchased large quantities of land at one time.

1516. Now they are not disposed to buy land in such large quantities?—No.

1517. But there are purchases of land, if a man chooses to sell it?—I have offered estates repeatedly for sale, and not been able to sell them.

1518. Do you know anything of the improvements that have taken place in agriculture in the colony?—Yes.

1519. Have they been recent?—Some have; some attempts at improvement have been recent.

1520. Has that been the case since there has been a fall in the price of the produce?—Yes.

1521. Is not it particularly of late years that you have heard of improvements in agriculture?—Not particularly of late years.

1522. When was the first time you heard of any implements being introduced from this country, or any economy in the culture of the land?—So long ago as 1836.

1523. Have you not heard of any improvements which have been adopted since?—Yes, I have.

1524. You have no doubt that they are going on now?—I could answer the question better if I knew to what improvements the question alludes.

1525. The use of agricultural implements sent out from home, or the introduction of drainage; has not there been drainage carried on in the colony?—I have known improvements made in drainage for years, and now I am sending out implements for agriculture myself, but not for the first time.

1526. When was the first time you sent them out?—I sent out ploughs as early as 1836.

1527. You continue to send out implements?—At present I am only sending out a kind of fork.

1528. You are not deterred by your own opinion of the state of the colony from sending out fresh capital therefore?—Not to that extent, but the fresh capital is not very large; merely about 20 *l.*, the cost of hand-forks.

1529. Sir *J. Hogg.*] Have you ever known the general expenditure of the colony exceed its income, and up to what period?—I do not think it has; the income is always fixed according to the expenses of the colony in each year.

1530. You stated that in 1841 there was an immigration ordinance passed, which came into operation, but that no corresponding Loan Act came into operation; it appears from the returns that 8,000 labourers came in the first year; from what funds were the expenses of bringing in those labourers met?—Partly by the general taxation, partly by a voluntary subscription, and partly by an individual outlay of money.

1531. It was from those different sources that the expenses of the introduction

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of the labourers were met up to the period when the loan ordinance was passed in 1844?—Yes, I believe so.

1532. Are the proceedings of the Court of Policy and of the Combined Court recorded in writing?—Yes, they are.

1533. Then I suppose the different matters with respect to which you have given evidence to-day would all appear in the recorded proceedings of those different courts?—The different Acts passed would all appear.

1534. And the discussions relative to those Acts?—Yes.

1535. Mr. *S. Wortley.*] Do you mean the speeches?—I do not mean to say every speech.

1536. Sir *J. Hogg.*] I do not mean the speeches, but I mean any objections that were taken, or any reasons recorded by any member of the court, would appear upon the face of the written proceedings?—Yes.

1537. Would the proceedings which took place during the temporary visit of Sir Henry Macleod also appear recorded in writing in the proceedings of the court?—The proceedings which took place in the court would.

1538. You spoke of some implied promise given by Sir Henry Macleod. I wish to know in what manner that implied promise was given, and to whom?—It was given by Sir Henry Macleod to those members of the Court of Policy who waited upon him on his arrival, in compliance with a request of his own that they would come to him and explain to him the differences which had arisen between them and Sir Henry Light, and what points they wished to have conceded by the Government.

1539. Were you one of the deputation which so waited upon him?—No, I was not.

1540. Had you yourself upon any occasion personal communications with Sir Henry Macleod as to the terms or conditions upon which the civil list was to be voted?—Not officially.

1541. Had you yourself personally any communications with Sir Henry Macleod upon the subject?—In conversation I had.

1542. Was there no written communication between the court and Sir Henry Macleod as to the terms upon which the civil list should be voted?—I think not.

1543. Then do you mean to say that the colonists left everything relative to guarantee or security dependent upon verbal communications given to deputations waiting upon him privately?—Yes.

1544. Is that the usual course?—I am not aware that it is.

1545. Does not it appear upon the proceedings during the period you were in the court, that all diversities of opinion, and all matters of stipulation between the Court and the Governor, during the time of the government of Sir Henry Light, are stated there?—I believe they do, for I think there was no communication with Sir Henry Light except in the court.

1546. Then this was a very unusual proceeding which took place with Sir Henry Macleod?—Yes, it was.

1547. Who were the gentlemen who waited upon him at his residence?—I cannot state the names of the deputation.

1548. Did the deputation consist of members of the Court of Policy, or the Combined Court, or of private individuals?—Members of the Combined Court.

1549. Were the deputation all members of the Combined Court?—All of them.

1550. Did they make any written report to the Combined Court of the nature of their interview, and its result?—Not to the Combined Court in the court.

1551. Did they make any written report, either to the Combined Court or the Court of Policy, or to anybody else, as to the result and nature of their interview?—They may have made a written report to the elective members of the Combined Court; I mean to all the members except the official members.

1552. You yourself were a member?—Yes.

1553. Did you ever see that report, or believe there was any report?—I cannot recollect whether there was or not; I think most likely there were notes taken.

1554. And a report made?—I think so, but I cannot remember.

1555. If

1555. If there were such a report, would it appear upon the proceedings of the court?—No.

1556. Where would it appear?—I do not think it would appear anywhere unless some members should have it privately.

1557. If such a written report were made, it would probably be in your power to produce a copy of it?—I might get it, perhaps, from some gentleman who was one of the members, if it exist, but I do not know that I can.

1558. Are any of the gentlemen who so called upon Sir Henry Macleod now in London, or in England?—No, not any of them.

1559. You were in error, were not you, in saying that the immigration ordinance was without any value unless at the same time the loan ordinance passed, inasmuch as it appears that without the loan ordinance there was a very large immigration during three years?—It was comparatively so.

1560. But it appears to have had some value?—It had some value. It enabled us to bring people to the colony.

1561. In 1842 you said a number of negroes waited on the Governor at the time of the strike?—Yes.

1562. I suppose they had a written memorial?—I do not think they had anything of the kind.

1563. Was there any written reply to them?—No; not when they went up to him to the town; I think there was not.

1564. I ask the question in consequence of your having stated that the Governor desired them to sit quietly at home and remain in their houses till he got an answer from the Government at home. From whom did you derive the information that Governor Light gave that advice to the deputation of negroes which so waited upon him?—From a negro.

1565. From one of those who went up?—No, not directly.

1566. If Governor Light gave any such answer he must have acted very strongly in dereliction of his public duty; is not that your opinion?—That was my opinion then.

1567. Would not the tendency of such advice be to encourage the negroes to resist the fair offers of the planters?—Yes; I certainly thought so, and think so still. I have always thought so.

1568. Then before you formed such an opinion of a public man, you would require very strong evidence that he had ever made such a statement, and I am therefore desirous of obtaining from you what the evidence is which induces you to believe that he made such a statement?—What induced me to state so was, that I visited an estate in February 1842. I went to visit some estates in the country at that time; I then made inquiry among the negroes upon the subject, and I find in writing that I said this.

1569. In writing to whom?—To my own partner.

1570. In writing from the colony to England?—Yes.

1571. Under what date?—The 11th of February 1842 I said this: "I firmly believe that when the deputation of negroes went to him on the first day of January, he did tell them to sit down quietly in their houses till he could hear from the Queen. Such was the common report all over the country, and 'Sammy,' on whom you know great dependance can be placed, assured me that the deputies declared to the negroes generally that such was the result of their mission."

1572. Have you any ground for that opinion or belief, except the statement you so had given to you by "Sammy"?—Yes.

1573. You do not state it as a matter of fact in the letter, but only as a report which you have heard from this man named "Sammy"?—The man I believe would not have asserted it unless it was the truth, and having told me that the deputies sent up had given that as the result of their mission, I believed it.

1574. Then that statement of Sammy's was the foundation of your opinion?—Yes; that was the foundation of my stating it.

1575. Was Sammy one of the deputation?—No, he was not.

1576. Then his statement to you as the result of that deputation, was the foundation of the assertion which you made in the letter of which you have read an extract?—Yes.

1577. Did the planters at that time make any remonstrance to the Governor,

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in consequence of this unjustifiable advice which he is stated to have given to the negroes?—I myself asked the Governor to visit my estates, and explain to the people the necessity there was for the steps which I had taken.

1578. If it was a matter of notoriety that such advice was given, or if it was believed by the planters, did they make any remonstrance. Did they present any memorial to Governor Light upon the subject?—No, I think they did not.

1579. Would not that have been the natural course if the Governor had given improper advice, to have presented a memorial remonstrating against it?—I do not know what would have been the proper course.

1580. That appears by the proceedings, does not it, to have been the usual course; when the planters or any portion of the inhabitants had any objection to the proceedings of the Governor, they appear immediately to have presented a memorial. You are not aware of any memorial upon that subject having been presented?—No; not from the body of the planters.

1581. You spoke of it as one of the conditions of the civil list that the amount of all the proceeds of what is called the Queen's chest should be placed at the general disposal of the colony. Have the goodness to say what the Queen's chest means. What is the amount of that particular source of revenue?—I cannot answer that from my own memory; but the amount, I see, from a printed document, is stated to be 13,352 *l.* There are three items here, 12,700*l.* from the capitation tax; 200*l.* from acre-money, and 452*l.* from woodcutting licences.

1582. The aggregate constituting what is termed the Queen's chest?—Yes.

1583. Were those funds formerly at the disposal of the colony, or am I right in collecting from the stipulation that they were formerly at the exclusive disposal of the Governor?—At the exclusive disposal of the Governor, I believe.

1584. And, subsequently to the conditions which you read, were they placed at the disposal of the colony, mixed with the general funds, and made applicable to general purposes?—I think by the civil list ordinance of 1836 they were so.

1585. And have continued so since?—I believe so.

1586. What is the date of those conditions which you read?—They were dated in 1840.

1587. If the Queen's chest was at the disposal of the colony in 1836, what was the meaning of stipulating in 1841 that it should be placed at the disposal of the colony?—I believe the reason was that no reference was made to it in the civil list proposed by Sir Henry Light; I think that was the reason.

1588. If in 1836 it had been surrendered, and had been amalgamated with the other sources of revenue of the colony, I do not understand the meaning of that stipulation in 1841?—I cannot give an explanation at the moment.

1589. Are there any laws against squatting now in the colony?—I believe there are.

1590. When were they framed?—I believe they were passed last year.

1591. Were there none before last year?—I think none have been confirmed; but I speak under correction.

1592. Then if there were no laws against squatting, and no power to enter into a contract for a definite period, the planter would have scarcely any control over the labour?—Very little indeed; scarcely any.

1593. Mr. *Hume.*] You have been asked some questions respecting the three ordinances, and how far they formed then, and were subsequently considered to form, part of the engagement on which the civil list was given: Sir Henry Macleod was sent over, was not he, to settle the differences which existed between Governor Light and the Court of Policy and the Combined Court?—Yes.

1594. At that time do you recollect whether the despatches which Sir Henry Macleod had from Lord John Russell were published?—I do not recollect.

1595. You have been asked what connexion the immigration and loan ordinance had with the civil list; are you aware of a despatch from Sir Henry Macleod, dated 28th of January 1841 to Lord John Russell, in which he says, "Whilst engaged in perfecting the several financial arrangements already reported to your Lordship, occasion has been taken for passing the immigration

gration ordinance, for moving an address to the Queen on that subject, and for submitting to the Governor and Court of Policy, and through them to Her Majesty's Government, the project of a law for raising a loan for the purposes of immigration." Am I to understand you to say, that after the estimates and the civil list had been agreed on with Sir Henry Macleod in the meetings you have alluded to, those three ordinances were considered by the court to form one, and that they had perfect confidence in Sir Henry Macleod, that in agreeing to the civil list they would obtain also the immigration and loan ordinance?—I certainly expected it.

1596. Sir Henry Macleod says, "I enclose the address from the Combined Court, which was agreed to with only one dissentient voice on the 22d instant, and which prays for Her Majesty's confirmation of the immigration ordinance." Were you in the Combined Court at the time that that address was agreed to?—Yes, I was.

1597. It passed with only one dissentient voice?—Yes.

1598. Instead of being agreed to, that immigration ordinance when it arrived in England was disallowed?—It was never confirmed.

1599. It is here stated by Sir Henry Macleod that a loan was actually necessary for the purposes of immigration. As a member of the court, do you consider that perfect faith was put in the assurance of Sir Henry Macleod that that ordinance would be confirmed?—Certainly.

1600. It was not confirmed?—It was not confirmed.

1601. In that respect, therefore, the civil list being granted on the assurances of those two ordinances, faith was not kept with the planters?—We believed so.

1602. *Chairman.*] The immigration ordinance was of much less value to the colonists without the loan ordinance, was not it?—Of much less value.

1603. Mr. *Adderley.*] Would not the equitable conclusion have been that upon the alteration of the immigration ordinance the civil list also should be reconsidered?—It should have been.

1604. Mr. *Hume.*] I have the ordinance before me referred to in Sir Henry Macleod's despatch. It is this: "Whereas it is expedient that provision be made, and due and proper regulations established for encouraging the introduction into this colony of labourers in husbandry." As one of the court at that time, did you consider that that included such regulations as those to which you alluded in speaking of the necessary regulations for society?—I think that had more reference to the regulations for the actual passage of the people.

1605. And the reception of the immigrants?—Yes; that they should not be brought under false pretences, or by unfair means.

1606. That is to say, they should be under such regulations as should secure the welfare of the immigrants in the colony?—Yes.

1607. That is the ordinance which was not sanctioned?—That is the one that was not sanctioned.

1608. You were asked by an honourable Member what connexion the renewal of the civil list, in 1844, had with the loan; are you aware that Governor Light was asked by this Committee, in Question 667, "Was there any condition in connexion with the renewal of the civil list?" to which he says, "Not at all, because I granted the loan knowing that India was open. I immediately acted against the opinions I had always held. There was then a chance of their wanting money. Mr. Rose had negotiated with me through the government secretary, and I said I would willingly grant that loan. The thing is agreed to, he said, we have nothing now to quarrel about; let us have the loan, and we will renew the civil list for seven years;" do you recollect those words, or is that the ground upon which you say there was an understanding that the loan should be granted before the civil list was renewed?—That is the expression which was in my recollection when I stated that it was the ground on which the civil list was renewed.

1609. Mr. Rose is a leading man in that court, is not he?—Generally he is.

Martis, 27° die Martii, 1849.

MEMBERS PRESENT.

Major Blackall.	Mr. M'Cullagh.
Mr. Gladstone.	Sir Robert Peel.
Mr. Hawes.	Mr. Villiers.
Sir James Hogg.	Sir Joshua Walmsley.
Lord Hotham.	Mr. Wilson.
Mr. Hume.	Mr. Stuart Wortley.

HENRY JAMES BAILLIE, Esq., IN THE CHAIR.

William Robertson Sandbach, Esq., called in; and further Examined.

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1610. Mr. *Hawes.*] Will you have the goodness to refer to Question 1595 of your evidence, in which you were asked, "Am I to understand you to say that after the estimates and the civil list had been agreed on with Sir Henry Macleod, in the meetings you have alluded to, those three ordinances were considered by the court to form one, and that they had perfect confidence in Sir Henry Macleod, that in agreeing to the civil list they would obtain also the immigration and loan ordinance." Did the court pass the immigration ordinance?—Yes; the immigration ordinance was passed while Sir Henry Macleod was in the colony.

1611. Was it or was it not passed without a suspending clause?—It was passed without a suspending clause, I believe.

1612. Therefore it came into immediate practical operation in the colony?—It might have done so as soon as it was published.

1613. But do you or do you not know the fact?—That it was published and came into operation? Yes, I do.

1614. Do you know further that an importation of labourers took place under it?—Yes.

1615. Do you know the number so imported?—No, I do not.

1616. You cannot state?—No.

1617. Question 1530 is, "You stated that in 1841 there was an immigration ordinance passed which came into operation, but that no corresponding loan act came into operation. It appears from the returns that 8,000 labourers came in the first year; from what funds," you are asked, "were the expenses met." Are you inclined to doubt whether that number of labourers came in or not?—I cannot tell the exact number; I know that a number of labourers were brought in.

1618. A large number?—Yes; a considerable number, whether 8,000 is correct or not, I do not know.

1619. I do not ask you with reference to the precise figures, but a number not much less than 8,000, according to your recollection, came in?—A considerable number came in.

1620. You state that the expenses of bringing in those labourers were paid "partly by the general taxation, partly by a voluntary subscription, and partly by an individual outlay of money." Are you prepared to state whether any portion of the expenses of those 8,000 labourers was paid from any private sources whatever?—I am prepared to state that large numbers of labourers were brought into Demerara by individuals at their own expense.

1621. In what year was that?—During several years.

1622. Prior to January 1841?—Yes.

1623. The immigration ordinance came into operation in 1841?—Yes.

1624. Was there any further contribution from private sources towards immigration after 1841?—I think there was; I am not sure.

1625. Do

1625. Do you recollect from what sources the immigration under that ordinance was paid for?—Principally, I think, from public funds.

1626. Can you or not recollect whether, after the time when public funds were provided, private contributions continued?—I cannot recollect any instances, but I believe that parties did bring labourers into the country at their own expense even after that period.

1627. In any number?—To the extent of hundreds, I think.

1628. Can you mention any individuals, who so imported labourers from their own private resources; I am speaking of 1841?—During 1841, I cannot remember any individuals.

1629. At all events there were but a few imported from private funds?—But few, I should think, after the passing of the immigration ordinance.

1630. Then after what you have now stated, should you or not be disposed to admit that the 8,000 labourers imported in 1841 must chiefly have been paid for from public funds?—They were chiefly paid for from public funds I should say.

1631. And does that apply to the immigration of all succeeding years down to 1847?—To the greater part of succeeding immigration it does.

1632. When you say the greater part, will you explain to the Committee what you mean; do you mean that subsequently to 1841 there was any number of labourers imported worth mentioning paid for out of private funds?—I mean that there were arrivals of people from Madeira at periods when the bounty was not paid for people coming from Madeira, and therefore that those people must have been imported by other means than by the public funds.

1633. Do you mean that the parties importing paid the bounty?—That they paid the expense.

1634. The expense of the passage?—Yes.

1635. Can you mention any parties who did so?—No; I only remember that parties arrived; parties of Portuguese arrived at periods when there was no bounty payable.

1636. In what year was that?—I cannot remember the year now.

1637. Did the cessation of the bounty arise at all from the circumstance of the great mortality of Portuguese imported in particular months?—I believe it did.

1638. And therefore ships were prohibited from bringing immigrants from Madeira in those particular months to Demerara?—They were.

1639. In regard to the case to which you have referred, were they numerous?—They were not numerous.

1640. Are you at all aware of the amount contributed out of public funds since 1841, and down to 1848 inclusive, for the importation of labourers into Guiana?—No; I have never made the calculation; I do not know what it amounts to.

1641. Suppose I were to ask you whether it amounted to as much as 360,685 *l.*, would you think that about the amount?—I cannot say at all.

1642. Have you or have you not seen a Return made by order of the House of Commons, stating the total amount raised from 1841 to 1848 for the purpose of immigration, and paid for by annual votes from public funds in Demerara?—No, I have never seen it until now.

1643. You stated in your evidence, in answer to Question 1595, that in agreeing to the civil list the colonists expected to obtain also the immigration and loan ordinance; upon what ground do you state that they expected a loan ordinance?—Upon the ground of the negotiations that they had had with Sir Henry Macleod.

1644. Were you in any way a party to those negotiations?—As being a member of the court I was.

1645. Did you see all the written communication that passed between Sir Henry Macleod and the colonial section of the Court of Policy?—All written communication I must have seen, I think.

1646. Did you see a letter addressed by Sir Henry Macleod to Mr. Rose and Mr. Arrindell, dated 19th December 1840?—I do not remember at this moment.

1647. Do you remember none of the contents of it?—No.

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1648. You have stated that Sir Henry Macleod led you to expect that he would pass a loan ordinance; I want to know distinctly from you the ground upon which you made that statement to the Committee?—That there were negotiations with Sir Henry Macleod privately before we went into court; that all that we wished was stated to him in those negotiations; and that having arranged the preliminaries, we went into court, where the civil list ordinance was passed; an immigration ordinance was likewise passed, and a loan ordinance was introduced by Sir Henry Macleod, and left to be passed after he had quitted the colony.

1649. The immigration ordinances that you refer to went through all its stages without a suspending clause, and came into operation; that was so, was it not?—It believe it was. Yes.

1650. And a large importation of labourers took place under it?—Yes, I believe so.

1651. You do not doubt the fact?—I do not doubt the fact in the least.

1652. Why did not the loan ordinance then, if it were at all promised, pass through the same stages, and take the form of an ordinance having the sanction of the Governor? Why was there any distinction between the two?—Because Sir Henry Macleod was going to leave the colony; and having introduced the loan ordinance, he referred it to the Combined Court as being a money bill.

1653. Did it pass through all its stages in the Combined Court?—Yes.

1654. Are you sure of that?—I believe that it was passed in the colony, and was disallowed by the Government at home. I believe so.

1655. The loan ordinance that you speak of in 1841?—I believe so.

1656. Will you refer to Questions 1176 and 1177?—I have them.

1657. Do you not find, in answer to Question 1176, that in the memorial which you quoted, the loan ordinance which you are now referring to is called a "Bill forwarded for Her Majesty's approval by his Excellency Sir Henry Macleod," and in the subsequent answer, that it is called a draft ordinance?—A draft ordinance I see here.

1658. Does that or not imply that it was not a measure which had gone through all its stages in the colony, but that it was arrested in its progress and sent over for the approval of the Government, in order to ascertain the opinions of the Government?—It appears from that, that it must have been sent home for approval.

1659. Imperfect?—I suppose as Sir Henry Macleod left it.

1660. It was not sent home in the form of an ordinance, but in the form of a draft ordinance, in order to elicit the opinion of the Secretary of State at home?—It may have been sent home in that shape with that view.

1661. Then a great distinction was drawn at the time by the Court of Policy between the immigration ordinance and the bill for raising a loan?—Unless I saw the proceedings of the Court of Policy, I could scarcely answer that question properly.

1662. Have you not the proceedings before you?—No.

1663. You were a member of the Combined Court?—Of the Combined Court.

1664. And generally conversant with all that was going on upon this subject in the colony I presume?—Yes, generally conversant, but I cannot remember.

1665. But you see in the memorial to which you yourself refer, that it is called a bill, and in answer to a subsequent question that it is called a draft ordinance?—Yes.

1666. The immigration ordinance went through all its stages, and came into operation?—Yes.

1667. Then clearly some distinction was drawn between the two?—Only the distinction that one was a money bill; Sir Henry Macleod declined to complete it, because it was a money bill. I believe that if it had not been a money bill Sir Henry Macleod would have completed it, and that it would have gone in the same shape as the other bill went.

1668. Did it or did it not go through all its stages?—It appears not to have gone through all its stages.

1669. Was there not a very great difference of opinion in the colony upon the

the subject of a loan for immigration?—I have no doubt there were some parties in the colony who did not approve of it.

1670. Were not the parties numerous and influential?—I think the majority of the colonists were in favour of a loan ordinance.

1671. By that mode of raising the money provided for in the bill proposed?—Of raising the money by a loan.

1672. You think the majority were for it?—I believe the majority were for it.

1673. Let me call your attention to a passage in Sir Henry Macleod's despatch to Lord John Russell, dated 23d of January 1841: "The Loan Bill is, however, a matter upon which there is some difference of opinion; the greater part of the community appear to me to be decidedly in favour of an annual vote of money for immigration, as occasion may require it, in preference;" can you state whether that was the fact or not?—No; I cannot state whether that was a fact or not.

1674. You were in the colony?—I was.

1675. And are you not aware that there was a great difference of opinion?—I am aware that there was a difference of opinion; I believe that the majority approved of obtaining a loan for immigration purposes.

1676. Approved of the Loan Bill, do you mean?—Yes.

1677. The great majority?—I think the majority approved of that Loan Bill.

1678. Then you think that Sir Henry Macleod was wrong in that statement?—I do not agree with that opinion which he expresses.

1679. With regard to any pledge or promise of a Loan Bill, are you at all prepared to state, after the questions which I have put to you, that there was any such pledge or promise given?—I said before that there was no formal or specific pledge or promise given.

1680. You have stated that the immigration ordinance was of much less value in consequence of a loan ordinance not being passed at the same time?—I have.

1681. That is your opinion?—Yes.

1682. From 1841 down to the time of passing the loan ordinance, in 1844, was there any difficulty found in raising funds to meet the annual importation of labourers by annual vote?—No, there was no difficulty; but it was a very large addition to the expenditure of the country.

1683. It was provided for by annual vote?—It was provided for by annual vote.

1684. The immigration, therefore, was not checked; in point of fact, do you conceive that the mode of raising the money inflicted some hardship upon the colony?—Want of money did not check immigration.

1685. Therefore it is not quite correct to say, is it, that the immigration ordinance was of much less value without the loan ordinance?—Yes, I think it is, because it was by immense exertions in the colony, by raising very large sums annually, that immigration was carried on. I think it would have been better for the colony if a loan had been raised, and the colony only burthened with the annual interest and redemption fund for that loan.

1686. Which involved, of course, the creation of a considerable debt?—Yes.

1687. When the civil list was negotiated in 1840, having reference to the former civil list, was there not a considerable amount of Crown revenue, of revenues payable to the Crown, and under the control of the Crown, surrendered to the colony?—In 1836 the Crown revenues were surrendered to the colony under the civil list.

1688. Can you state the amount?—£. 13,352.

1689. Do you think that that was the total?—That was all that I saw. I could not speak from memory; I spoke from a printed document which contained that amount.

1690. I put into your hands an extract of a despatch from Governor Light to the Marquis of Normanby, dated Demerara, 16th of September 1839, and I ask you to read the paragraphs which I have there marked, and state whether or not that estimate of the surrender of the Crown revenues is larger than you are disposed to state it at?—"I estimate the future Crown revenues of Demerara

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and Essequibo at not less than 24,900*l.*, and as not likely to exceed for many years 30,000*l.* The finances of the several counties will be very shortly included within one estimate, but I confine my calculation at present to the above portion of the province, because the data are at hand. I am pretty correct in estimating the Crown revenues at Berbice at one-third of the above amount; Demerara and Essequibo have hitherto defrayed three-fourths of the amount of the civil list, and Berbice the remaining one-fourth. The proportion borne by the two former amounts to 14,694*l.* 13*s.* 6*d.* It is obvious then that the Crown revenues which may be called into existence far exceed the amount of the present civil list, and therefore the Crown is entitled to claim an increased consideration for them if the continued abeyance of some, and the payment of others into the colonial treasury, are to be conceded after 1840."

1691. Are you prepared to make any observations upon that statement of the Governor?—I do not know whether that statement is a correct estimate or not.

1692. You observe that it is made by the Governor's authority, and forms a portion of a despatch to the Secretary of State?—Yes.

1693. Will you state to the Committee the ground upon which you make your own estimate of the value?—I answered this from a printed document which was put into my hands; the ground was a despatch from the Earl of Aberdeen to Sir Lionel Smith, dated 1st March 1835.

1694. State what it is?—He says here, "Mr. Secretary Stanley expressed his willingness to waive the question concerning the functions of the Combined Court, on condition of a civil list of 17,500*l.* being secured to the Crown, exclusive of acre monies and balances of fees, and the proceeds of fines, quit-rents, and wood-cutting licences, which already belonged to the King's chest. This demand the Lieutenant-governor considered to be more than the colonists could be fairly expected to meet; but the grounds upon which he took this view of it are not, I must confess, completely apparent to me, from the statements contained in his despatches of the 14th of May and 19th of June; he therein represents the King's chest as having, for the preceding ten years, possessed no more than an average income of 12,700*l.* from tax on slaves, 200*l.* from acre money, 452*l.* from wood-cutting licences; making 13,352*l.*"

1695. That was the ground upon which you estimated the Crown revenues at 13,000*l.*?—Yes.

1696. Were they not subject to increase with the increasing trade and population of the colony?—I think the abolition of the tax on slaves would balance any increase from other sources for a considerable time.

1697. Do you think that those sources of revenue derived from duties upon imports, a portion of which was payable to the King's chest, would not have increased it to a larger amount than that?—I am not prepared to say whether they would or not.

1698. At all events, whatever sum the revenue of the King's chest amounted to, that, at the present moment, the colony has the advantage of?—Yes, I believe so.

1699. And was not that granted on the faith of a civil list being passed?—Yes, in 1836 I believe it was.

1700. May not the Crown complain in its turn of a breach of faith then on the part of the colony?—The Crown may resume the King's chest, no doubt.

1701. Do you think that the colony would now be willing to surrender the old revenues to the Crown entirely?—I could answer that better if I knew their amount now.

1702. But the colony has all along contended, has it not, for the possession of those revenues and the control over them, and attached importance to it?—Yes.

1703. And they have got the whole benefit of those revenues at this moment, have they not?—I believe they have; yes.

1704. Passing on to the civil list of 1844, that, I understood you to say, was passed, not on condition, but upon a fair understanding that there should be, or that there would be, a loan ordinance passed; was that so?—Yes; I stated so.

1705. The loan ordinance in 1844 was passed, was it not?—Yes.

1706. And money was raised under it?—Yes.

1707. And labour was imported?—Yes.

1708. Then the civil list being renewed on the ground that a loan ordinance was passed in 1844, and the supplies being now stopped, may not the Crown again complain of a breach of faith on the part of the colony?—The civil list was not passed upon a special agreement for the loan ordinance of 1844.

1709. Did not Mr. Rose state distinctly, "We have now got a loan ordinance; now we will pass a civil list;" and did he not voluntarily propose in the Court of Policy the renewal of that civil list upon that understanding?—Yes.

1710. And are not the supplies stopped at this moment?—Yes.

1711. Has the contract been adhered to then, on the part of the colony?—There are other circumstances that affect the colony as well as the loan ordinance.

1712. But I am speaking entirely with reference to the ground upon which the civil list of 1844 was renewed, and I am taking the ground stated by a leading member of the colonial section of the Court of Policy, namely, that he was willing voluntarily to renew the civil list, provided a loan ordinance was obtained; you have stated that a loan ordinance was obtained, sanctioned by the Crown, and that money was raised under it, and labour imported; is the contract adhered to on the part of the colony, now that they have stopped the supplies, looking simply at the nature of that understanding which existed in 1844?—Looking simply to that circumstance it is not.

1713. Will you state the grounds upon which the objections were raised in the colony to the continuance of the present civil list?—I should like to have the proceedings of the Combined Court. The reason assigned for wishing to reduce the expenditure of the colony is the inability of the colony to defray the expenditure.

1714. Will you explain what you mean by "the inability of the colony"?—That estate after estate is falling into a condition of bankruptcy throughout the colony.

1715. That trade is declining?—That everything in the colony depends upon the prosperity of the estates, and if the estates one after another are destroyed, the prosperity of the colony is destroyed with them.

1716. That is to say, the production of sugar will cease and the exports will fail?—Yes.

1717. That is the ground then upon which the civil list was objected to, in your opinion?—Yes.

1718. Taking the whole period of the year 1848 down to September the 30th, when the supplies were stopped, was there any evidence then to show that the exports were declining?—Not that the exports were declining then; no.

1719. Was there any evidence to show that the imports into the colony were declining?—No, I think not; I am not so well prepared to answer that, but I think not.

1720. Was there any other ground assigned for the rejection of the civil list, in your opinion?—Yes.

1721. *Chairman.*] Was there any evidence to show that the exports from the colony did not produce a sufficient sum to pay for the expense of raising them or producing them; was that the feeling among the colonists?—Yes; there was the evidence of the successive numbers of estates that were placed under sequestration, that could not pay their expenses.

1722. Mr. *Hawes.*] Had not similar evidence as to the cost of production increasing so as to absorb the profits of cultivation and the abandonment of estates been given in preceding years?—Yes.

1723. And that at a time when the civil list was less than it now is?—I dare say between 1836 and 1840 the same may have taken place. I do not remember though.

1724. Was there any other ground that you can state for the rejection of the civil list?—Do you mean from my own impression?

1725. Either from your own knowledge or from your correspondence with the colony?—My own impression of the cause of wishing to reduce the civil list was simply the declining state of the colony.

1726. As shown by what circumstances?—By the number of estates brought to execution sale.

1727. You admitting at the same time that circumstances somewhat similar had occurred previously, between 1836 and 1840?—No; I thought you meant

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that representations of smaller crops, and of the colony not thriving, were made between 1836 and 1840, which, I think, may possibly have been.

1728. Will you turn to page 142 of the Paper before you; will you look at the bottom of that page; what is the date of that memorial?—The date of this must be somewhere about 1842, I presume, but it does not bear a date.

1729. You see it there stated that the expenses are increasing?—Yes.

1730. That the colony is in distress?—Yes.

1731. And that estates have greatly decreased in value?—Yes.

1732. Notwithstanding that statement the civil list had been renewed?—In 1844.

1733. It was renewed in 1844?—Yes, which shows, I think, how anxious the colonists always were to maintain the dignity of Her Majesty's officers while they could.

1734. Your opinion now is, I believe, that the civil list ought to be reduced?—My opinion is that every expense in the colony that can be reduced ought to be reduced.

1735. The civil list especially, in your opinion, ought to be reduced?—Not especially, but with others.

1736. In conjunction with the general expenditure of the colony?—Certainly.

1737. Should you be content or not, or have you reason to believe that the colonists would be content or not if it were reduced to the amount proposed by the Court of Policy, namely, 25 per cent.?—I think they would, though I have seen it stated or heard it stated that that would not satisfy them; but I think it would satisfy them.

1378. The amount of the civil list nominally is about 39,000*l.*, is it not?—I suppose about 39,000 *l.*; 39,000 *l.* exclusive of the stipendiary magistrates; this is the "Estimate of the amount required to be raised by taxes in the colony of British Guiana for the service of the year 1843; civil list, provision for, 39,072*l.* 17*s.* 4*d.*; ten stipendiary magistrates, each 700 *l.*, less 450 *l.* paid by the commissariat on condition of civil list ordinance included in above; less 404*l.* 19*s.* 3*d.* late pension to Colonel Innes, now deceased."

1739. The civil list, as it now stands, includes the sum of upwards of 9,000*l.*, does it not, as provision for the clergy?—Yes.

1740. How were the clergy provided for before?—By annual vote, I think.

1741. Chargeable upon the general revenue of the colony?—I do not remember how that was.

1742. But it is now chargeable upon the general revenue of the colony?—Yes.

1743. That I believe was proposed entirely by Mr. Rose in the colonial section of the Court of Policy?—By the colonial section of the Court of Policy.

1744. The colony, I believe, does not pay, does it, the whole 7,000 *l.* charged in the civil list on account of the stipendiary magistrates?—No.

1745. There is a contribution from Imperial funds for that?—Yes, there is.

1746. Do you know the amount of that contribution—£. 4,500, I think.

1747. And at present the pensions, I believe, have been reduced by the death of certain parties?—I believe they have.

1748. Two parties?—Yes; I think there are two dead.

1749. Then deducting the amount charged by the colony on the civil list which is not required by the Crown for the payment of the public servants, deducting also the saving in pensions, and deducting the contribution from the mother country, to about what sum do you reduce the civil list, properly speaking, for the service of the colony?—By somewhere about 15,000 *l.*

1750. Therefore the civil list amounts to about 24,000 *l.* for the purposes of the government, strictly as such?—Yes.

1751. I need scarcely ask you what 25 per cent. off that amounts to; to what will that reduce it?—To about 19,000 *l.*

1752. *Chairman.*] Is not the reason why the colonists wished to reduce the civil list because they could not venture to reduce the minor salaries whilst they left the larger salaries as they were; is not that the ground upon which they asked for a reduction of the civil list?—The ground upon which they asked for a reduction of the civil list I believe is, that it forms the first item in the estimate, and as their intention was to reduce all the items if they could, they began with the first.

1753. Mr.

1753. Mr. *Hawes.*] Many of the clergy of the colony have small salaries, have they not?—I do not remember the amount of their salaries, 400 *l.* or 500 *l.* a year, I think; the rectors of the rural parishes have 2,000 dollars; about 400 guineas.

1754. And the reduction which you contemplate is generally and universally a reduction of all salaries, the clergy included?—Yes.

1755. Do you think that the amount of saving contemplated by that reduction would materially affect the property of the colony?—With other savings.

1756. To what extent do you think other savings might be made, speaking fairly according to the best opinion which you can form?—I cannot form the least opinion of that without going over the estimate, item by item, with some person recently from the colony better acquainted with the present position of of affairs than I am.

1757. Probably you have seen by the papers which have been printed, that Governor Light had conceived that a reduction of 25 per cent. could be made in the general expenditure of the colony?—I have heard him say so.

1758. Have you any reason to suppose that there were any instructions from home to resist the reduction?—I believe there is a despatch from Lord Grey on the subject to Sir Henry Light.

1759. Can you refer to it?—In a despatch dated 15th February 1848, page 180, No. 2, in the second paragraph, Lord Grey says, "I request that you will inform the Court of Policy that I am unable to concur with them in the proposed reduction of salaries on the civil list."

1760. That only applies to the salaries on the civil list?—Yes.

1761. Those are the instructions to which you refer?—Yes; that is the objection which I say was stated by Lord Grey; that is the despatch which I refer to.

1762. Will you turn to a despatch of Lord Grey's, in page 185. You will observe that in that despatch Lord Grey states, "I approve of your determination not to proceed further with the estimates after this vote had been come to, since it is obvious that the object of the amendment was rather to assert the principle of the control of the Combined Court over the expenditure included in the civil list, than to effect a reduction of expenditure which could be of any serious importance. To that principle, for the reasons I have already fully stated, I think it my duty to oppose a firm resistance. I cannot, therefore, authorize your accepting a vote of the estimates in which provision is not made for the whole amount of the civil list, though I still entertain the readiness I have already expressed to consider any proposal for the reduction of the emoluments of the offices included in the civil list on vacancies occurring, nor would it be difficult for the Combined Court to bring any such proposed reduction under the consideration of Her Majesty's Government; for instance, if instead of proceeding to reduce the amount voted by the reduction which they assumed might be made from the Governor's salary, the civil list had been provided for as usual, and an address at the same time voted to Her Majesty, pointing out the grounds on which such a reduction is deemed to be advisable, the suggestion would have met with the immediate attention by Her Majesty's Government; and though my present impression is that the finances of the colony are not in a condition to render such a reduction necessary, and that having regard to the great expense of living in Guiana and to the disadvantages of its climate, the salary heretofore enjoyed by the Governor is not more than sufficient to secure the services of a person of the station and experience which so important an office demands, the reasons which might have been adduced in favour of a different conclusion would have received the most careful consideration." You will observe, therefore, in that despatch, that Lord Grey is willing to consider the reductions of salaries as vacancies occur?—He states so there.

1763. *Chairman.*] Lord Grey states in that despatch, "The salary heretofore enjoyed by the Governor is not more than sufficient to secure the services of a person of the station and experience which so important an office demands:" after having made that statement, do you think it likely that Lord Grey would have reduced the salary of the Governor?—That statement would lead me to suppose that he would not. There has been a vacancy in the office of Governor, and since that vacancy occurred the supplies have been stopped.

1764. Was there not a motion made by a member of the court after the

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vacancy occurred to reduce the salary of the vacant office of Governor?—I think there was; I cannot refer to it at the moment; I believe there was.

1765. And what was the result of that motion?—On Thursday, July the 20th, "The estimate of the amount required to be raised by taxes in the colony of British Guiana for the service of the year 1848 was brought up. The Honourable Mr. Rose objected to the estimate as not being sufficiently in detail. On the words, 'Civil List' being read, Mr. Davison moved as an amendment, seconded by the Honourable Mr. Stuart, that the salary of the Governor, which forms a part of the civil list, be reduced from the sum of 5,000*l.* per annum, as it now stands on the civil list ordinance, to 3,500*l.* His Excellency stated that it was impossible for him to allow the amendment to be put."

1766. Mr. *Hawes.*] Did not that proceeding take place in the Combined Court?—Yes, in the Combined Court.

1767. Will you turn to page 60: In a despatch from Lieutenant-governor Walker to Lord Grey, dated the 20th of July 1848, the Governor states, in paragraph 4, upon that proposition being made, "I immediately stated that I could not allow this amendment to be put, as it assumed a right to which, in my opinion, the court was not entitled"?—I see it.

1768. The estimates are voted in the Court of Policy?—Yes; they are formed first in the Court of Policy.

1769. Therefore a question does arise, does it not, as to whether or not the Combined Court has a right to interfere with the estimates?—The Combined Court has a right to move any amendment upon any item in the estimate, I believe.

1770. Has not some question arisen as to the right of the Combined Court upon points of that kind?—Upon the rights of the combined courts generally; but I think that right is not disputed.

1771. This was before the arrival of the new Governor, was it not?—Governor Walker signs the despatch; he was the acting Governor at the time.

1772. You can know nothing, of course, of anything that has passed since the arrival of the new Governor?—No.

1773. Mr. *S. Wortley.*] Can you inform the Committee whence the Governor derives his authority to refuse to put the amendment?—I suppose he assumed that authority.

1774. Are you aware of anything which gives him the authority to refuse to put a motion of the Combined Court, if there is no actual impropriety in it?—No; he has a right to veto any motion.

1775. That is after it is carried?—No.

1776. What do you mean by a veto?—If a member makes a motion he can refuse to allow that motion to be put.

1777. Do you know whence he derives that authority?—No, I do not.

1778. Mr. *Hume.*] Was that the case when you were in the court?—That the Governor exercised the right of veto?

1779-80. Yes.—Repeatedly.

1781. Mr. *S. Wortley.*] And it was according to the ordinary custom and practice of the court?—Yes.

1782. Mr. *Hawes.*] You have been asked a question with reference to a passage in Lord Grey's despatch of September the 1st, 1848. You will observe there that Lord Grey states that though it is his present impression that the finances of the colony do not call for a reduction, and that the expense of living in Guiana is great, nevertheless if proper representations are made to him he will be disposed carefully to consider any proposition of that kind as vacancies occur. You have no reason to doubt that intention so expressed, have you?—The colonists have so often made representations to Her Majesty's Government respecting their condition, without deriving the results that they hoped to derive from those representations, that I do not think they have much confidence in the result of any application they may make to the Colonial Office of any kind.

1783. Representations relating to the reduction of expenditure?—Representations relating to the condition of the colony generally.

1784. Will you state an instance?—I think on Thursday I mentioned several. I cannot bring forward any special instance, but they have frequently sent representations of the condition of the colony

1785. But with reference to what measure do you state that the representations so made have not been attended to?—I cannot call to mind any special instance at the moment.

1786-7. I believe on the civil list the salaries of sheriffs are charged?—Yes, they are.

1788. They were not always paid, I believe, out of the civil list?—I think they were.

1789. Always?—I think the sheriffs were; I do not recollect when sheriffs were first established, but my impression is that there were no sheriffs until the civil list was established.

1790. Then do you speak of the original civil list in 1819 or 1820?—I speak of the civil list of 1836.

1791. Do you mean that before that time the salaries of sheriffs were paid out of the civil list, or were paid out of the general revenues of the colony?—I do not think there were any sheriffs.

1792. No sheriffs before 1836?—I think not; there were no sheriffs in 1832.

1793. Were there not considerable fees paid to these officers?—No; there were fiscals, but not sheriffs, I think.

1794. Were they or were they not officers with similar duties?—I believe the office of sheriff was created instead of that of fiscal.

1795. And the fiscal had considerable fees, had he not?—Yes.

1796. The whole of those fees are now payable into the general fund of the colony, are they not?—I do not know.

1797. Have you never looked at the civil list ordinance itself?—Yes.

1798. Will you turn to page 137, the last paragraph, clause 8; will you read it?—"And be it further enacted, that during the continuance of this ordinance, the registrar's offices, the marshal's office, and the sheriffs' offices of British Guiana, shall be subject to the regulation and control (by ordinance) of the Governor and Court of Policy; and that the fees and revenues of the said last-recited offices, together with the fees and revenues of the government secretary's office, and of the secretary of the chief justice, shall also be subject to the like regulation and control by ordinance: provided always, that the salaries of such of the officers of the respective departments as are not by this present ordinance placed on the civil list, shall be defrayed and paid out of the proceeds of the respective offices to which the officers may respectively belong; provided also, that any such ordinance for the regulation of the offices, and of the fees thereof respectively, as aforesaid, shall not remain in force beyond seven years."

1799. You see there that the fees of certain offices, amongst others the fees of the sheriff's offices, are all payable into the general revenue by the civil list ordinance of 1841?—It says, "shall be subject to the regulation."

1800. That is to say, the control?—"Subject to the like regulation and control."

1801. That is to say, that they shall be in their power. The fees are therefore in their power as part of the revenues of the colony; do you doubt that?—I am not sure whether it refers to regulating the amount of fees, the tariff of fees, or to the disposal of the fees.

1802. But do you doubt at all that the fees of the sheriffs and certain other officers here enumerated are paid into the general revenue, or do you know nothing about it?—In some of the offices the fees are used to pay the expenses of the office.

1803. But those offices enumerated in clause 8?—I think in the registrar's and marshal's offices the fees used to be divided amongst the officers themselves.

1804. I am speaking now of the ordinance of 1841, passed by Sir Henry Macleod, and I refer you to clause 8?—Yes; from the latter part of this ordinance, I see that they must go into the general funds of the colony.

1805. Mr. *Wilson.*] Will you refer to the top of the same page; you will see that the salaries of the various officers become chargeable upon the civil list, and you will find that those officers payable by fees are included in the civil list?—Yes, I see that.

1806. Therefore you infer from that, that there was a change in the mode of payment; that the fees were transferred to the general revenue of the colony, and that these particular offices were then charged as fixed sums out of the civil list?—Yes, I infer that.

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1807. Mr. *Hawes.*] I put into your hands what is called the "Blue Book of the Colony," with which I dare say you are familar, and ask you to state the amount of fees received from certain offices in aid of the general revenue; just read it, if you please?—"Fees of the secretary to the chief justice, 133*l.* 2*s.* 6*d.*; fees of Government secretary's office, 1,439*l.* 0*s.* 10*d.*; fees of the high sheriff's office, 162*l.* 10*s.*; fees of the registrar's office in Berbice, 1,115*l.* 8*s.* 1*d.*; fees of the assistant Government secretary's office, Berbice, 175*l.* 12*s.* 1*d.*; fees of the sheriff's office, Berbice, 24*l.* 14*s.* 9*d.*; fees of the registrar's office in George Town, 5,089*l.* 9*s.* 5*d.*; fees of the marshal's office, 1,990*l.* 9*s.* 8*d.*"

1808. Making a total of somewhere about 10,000*l.*?—£. 10,127.

1809. Which the colony now receives as against the salaries charged upon the civil list?—Yes.

1810. Mr. *Wilson.*] I think you will find that those are all the fees payable, and not the fees belonging to those three particular offices?—Yes.

1811. I wish you to separate them, in order that the amount may not be exaggerated; read only the fees belonging to the registrar's office, the marshal's office, and the sheriff's office?—In the sheriff's office they are 162*l.* 10*s.*, and in Berbice 24*l.* 14*s.* 9*d.*; in the registrar's office 5,089*l.* 9*s.* 5*d.*, and in Berbice 1,115*l.* 8*s.* 1*d.*; fees of the marshal's office, 1,990*l.* 9*s.* 8*d.*

1812. That would give a total, instead of 10,000*l.*, taking out the fees which do not belong to those offices, of 8,380*l.*, or thereabouts?—Yes; between 8,000*l.* and 8,500*l.*

1813. Will you just cast your eye again to the top of the page of the book which you first had, and have the goodness to see the amount of salaries that were granted in lieu of those fees; the high sheriff?—The high sheriff, 1,250*l.*

1814. The sheriff of Berbice?—£.900; and of Essequibo 700*l.*

1815. Are there any other salaries chargeable as against those particular fees?—Perhaps the clerk to the high sheriff; I am not sure.

1816. What is that?—£. 300.

1817. How much will that make altogether?—£. 3,150.

1818. Then the salaries which are now charged upon the civil list, to the amount of 3,150*l.*, are represented by fees which, according to the Blue Book for the year 1847, yield to the revenue of the colony, in the shape of fees, 8,380*l.*?—Yes, apparently.

1819. So that had the Government kept in their own hands those fees, instead of giving them to the general revenue of the colony, and also kept the payment of those particular officers in their own hands, without charging them upon the revenue of the colony, there would have been a profit of upwards of 5,000*l.*, which 5,000*l.* goes to the advantage of the general revenue now?—There would have been a profit of 5,000*l.* to the officers themselves, not to the Government. The whole fees, I believe, before that were divided among the officers in the different offices.

1820. At all events, the general revenue of the colony is benefited by that arrangement to the amount of 5,000*l.*, so far as regards the civil list?—I believe so.

1821. Mr. *Hawes.*] From your connexion with the colony, and your residence temporarily in it, will you inform the Committee whether there are any reforms or improvements which have suggested themselves to you in the administration of the government of the colony, or whether you have heard from parties with whom you have been in communication or in correspondence any change or alteration, or improvement in that administration, which you can state to the Committee?—I have often heard it complained of that there should be in the Court of Policy a positive majority of official members, whose votes the Governor of the colony can always command for any purposes that he pleases, and I believe that all the colony desire to see that in some manner altered.

1822. Have you at all matured in your own mind any plan of the kind; what change or what alteration you would think most feasible or advisable?—No, no matured plan; but I should say generally, let the colonists have the management of their own affairs, provided they do not interfere with the rights, or with the general administration, of the mother country.

1823. Would you effect that by altering the constitution or the composition of the Court of Policy in reference to the number of non-official members?—I should like to see the Court of Policy so constituted that the majority of it should

should be independent of Government influence; that whenever there was a majority it could not be said that that majority was produced by Government influence.

1824. Would the simple addition of non-official members effect the object which you have in view?—Without further consideration I should not be able to say whether the simple addition of a certain number of members would effect all the objects desired by those who seek an alteration in the constitution of the Court of Policy.

1825. You probably have heard the propositions for altering altogether the constitution of the colony, and giving it a council and assembly?—I know that there have been meetings in the colony at which a desire for such alterations has been expressed.

1826. Have you any opinion to offer to the Committee yourself upon it?—No.

1827. With regard to the detail of administration, quite apart from the reduction of expenditure, are you of opinion that officers are too numerous, or that offices could be consolidated, and the colony thus benefited?—I think that the offices could be consolidated, and the number of officers reduced, with considerable advantage to the colony.

1828. *Chairman.*] With reference to a question which was put to you by Mr. Wilson on a former day, No. 1368; the question is, "Have you read anywhere such strong protests and such strong writing against these very proceedings of the Combined Court as in the 'Colonist' newspaper?" Your answer is, "I do not know." He then says, "If you have read the paper you must know that the editors write strongly in almost every number against the proceeding of the Combined Court in stopping the supplies?" Your answer is, "I do not know that." Have you any statement to make with reference to that?—Yes; I have to state that I was so much surprised at finding it to be the Member's impression that the editors write strongly in almost every number against the proceedings of the Combined Court in stopping the supplies, that as soon as I got home I looked over a file of the papers, and I have brought two of them with me, which I could refer to, but I can state now that after looking over the file I find that the general tone of all the editorial articles in the paper is in approval of the proceedings of the Combined Court, and that the paper also states that those proceedings have the approbation of the inhabitants generally.

1829. Sir *R. Peel.*] I understood you to say that, so far as the constitution of the colony and the administration of the government of the colony are concerned, you have no other suggestion to offer than that it might possibly be desirable to have an increase in the elective members of the Court of Policy?—Generally that the colonists should be permitted to manage their own affairs, so long as they did nothing that was incompatible with the general policy of the mother country.

1830. Do you think that they would be willing to pay the expense of their military force stationed in the colony if they had the management of their own affairs?—I cannot say whether they would or not.

1831. With respect to officers that are immediately connected with the civil administration of the colony and the preservation of the public peace, would they be prepared to take all those expenses, such, for instance, as the salaries of the stipendiary magistrates?—I think that if they were allowed to judge of the necessity of the offices, they would be willing to undertake the payment of necessary offices.

1832. Would you constitute an assembly elected by the general body of the population for the purpose of voting the supplies and controlling the internal financial concerns of the colony?—I have not considered the question sufficiently to state any plan, even generally.

1833. And you have no other suggestion to offer than that with respect to an addition to the number of elective members; no specific proposal?—No, none.

1834. Mr. *Wilson.*] With regard to the connexion of the loan ordinance and the immigration ordinance of 1841 with each other, will you have the goodness to turn to Question and Answer 1299. You will see that in answer to the preceding questions you have stated that the immigration ordinance was passed before Sir Henry Macleod left the colony, but not the loan ordinance; and then in Question 1299 I asked you, "When was it passed?" and you said, "Almost

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immediately, I think, after he left; I cannot exactly recollect that date, but I think it was within a very short period of his leaving." I suppose that that answer is erroneous?—I see it now from what has taken place since. I believe it did not pass at all in the colony.

1835. Then there are several other questions in which I should wish similar corrections to be made, because your evidence on the former day proceeded upon the impression that that ordinance had passed, had been sent home, and had been disallowed?—It did.

1836. And upon that you had based an opinion with regard to that particular ordinance. Therefore I should wish that the questions which involve that error should be corrected, so that the evidence may go forth as you now state the fact to be. Will you turn to Question 1302; the answer which you give to that is, "I cannot remember at this moment whether the loan ordinance, which was passed by Sir Henry Light in 1841, was confirmed or not." There you assume that the ordinance was passed by Sir Henry Light, but you do not know whether it was confirmed or not. That answer also must have been made under the same erroneous impression?—Yes; under the impression that it was passed

1837. In answer to Question 1304, you again reply, "I believe that the loan ordinance which was passed by Sir Henry Macleod was not confirmed at home"?—Yes. If I had used the word "introduced" instead of "passed" it would have been correct.

1838. Or rather if you had called it a Bill, I believe it would have been more correct, than an ordinance at all?—Yes.

1839. I believe that in the colony a bill and an ordinance have the same relation to each other that a Bill and an Act of Parliament have here?—Yes, they have.

1840. That a Bill is introduced into your court the same as a Bill is introduced into the House of Commons here, which may be passed through the House of Commons on the first and second reading, and then may be lost without any Act being based upon it?—Yes.

1841. Will you refer to Question 1305; you will find that in your reply to that you say, "The civil list was passed by the court because we had an assurance from Sir Henry M'Leod of an immigration ordinance being passed, and also of a loan ordinance being passed; he passed a civil list ordinance and an immigration ordinance; he introduced a loan ordinance and referred it to the Combined Court as a money Bill; he then went away, and it was passed shortly after by Sir Henry Light"?—Yes; that was wrong.

1842. In that reply there are two errors; the first error is, that you assume that Sir Henry Macleod had promised you a loan ordinance, and you then state that Sir Henry Light passed a loan ordinance; in both those respects you are incorrect?—I have always said that Sir Henry Macleod never made a specific promise of a loan ordinance.

1843. In this answer you say, "The civil list was passed by the court because we had an assurance from Sir Henry Macleod of an immigration ordinance being passed, and also of a loan ordinance being passed"?—Yes; he led us to believe that they would both be passed; but he made no specific promise.

1844. What does an assurance mean, if it is not a specific promise. "Assurance" I take to be one of the strongest terms that can be used. However, you admit that you had not that promise; that you had not an assurance?—He told us, that if we passed the civil list we should have our immigration ordinance, and he allowed us to understand that we should have also a loan ordinance.

1845. Did not he only consent that a bill should be introduced, which bill he undertook to send home for the opinion and approbation of the Home Government?—He introduced that bill, and if he had remained long enough to pass the estimates for 1841, he would have passed the loan ordinance in the Combined Court I believe.

1846. Have you anything to show that?—I am not sure whether his address to us will show it or not; he replied to an address that was made to him by the Combined Court before he went away.

1847. After the immigration ordinance was passed?—Yes; he was giving reasons for not remaining. He says, "Having procured a very liberal civil list, and, to meet that, having secured an import duty on British goods, besides having carried through an ordinance for the encouragement of immigration n furtherance

furtherance of the general welfare of the colony, I feel that although my instructions were to continue here after obtaining a civil list, to go over the estimate, as also the ways and means of the current year, it would be very hard, and an injustice to the community, to call on the financial representatives to enter into the consideration of all the items on the estimate without having the necessary data before them, the quantity of the exports of the produce for last year, and the returns and accounts given in annually, on which, I believe, you found your proposals of taxation. In leaving the colony, therefore, after putting everything in a train of settlement, I hope I shall not be found to have exceeded the discretion confided to me, and indeed entrusted to every officer similarly situated, and that Her Majesty's Government will not think that, in leaving this measure incomplete, I have neglected the interests of the colony in seeking by the earliest departure to preserve the general arrangements of Government, which, during my stay, have been and must be to a certain degree interfered with."

1848. There is nothing mentioned there of a loan ordinance?—No; but having introduced the loan bill into the court and referred it to the Combined Court, it was natural for us to believe that if he had remained to pass the estimate of that year, he would at the same time have completed that ordinance in the Combined Court which he had introduced into the Court of Policy and referred to the Combined Court.

1849. Did he himself introduce it?—I do not recollect; it was introduced while he was Governor. I cannot remember who introduced it.

1850. Are you not aware that he expressed his objection to it, and said that he had no instructions upon it at all, but that he would not object to the introduction of a bill, but would be willing, if a bill were introduced, to send it home for the sanction of the Home Government?—Yes, he did.

1851. Sir *R. Peel.*] Am I to understand you to say that the court or the colonists inferred, from communications with Sir Henry Macleod, that he would use his efforts to procure the passing of a loan ordinance?—Yes.

1852. That was the impression?—It was our impression, certainly.

1853. Before Sir Henry Macleod came there had been disputes with the previous Governor, Governor Light, had there not?—Yes.

1854. And Sir Henry Macleod was sent on a temporary mission to make an arrangement with the Court of Policy?—Yes, with the colony.

1855. Was he a stranger to the colony?—To every person in it, I think.

1856. What could be the objection in a matter of so much importance, and as there had been differences of opinion between the court and the former Governor, to reduce to writing any arrangement or understanding between the court and Sir Henry Macleod?—I do not know that there was any objection to reducing such things to writing; they passed verbally.

1857. Did any one make a memorandum of what passed?—Not that I know of; I am not aware of the existence of any memorandum.

1858. Then you are not aware that any person who was present at the interview when the conversation passed with regard to the loan ordinance, made a memorandum at the time of that which had passed?—I am not aware; I do not remember.

1859. Therefore the impression which you entertain is derived merely from the memory of parties?—Yes.

1860. You were not present yourself?—I was not one of the members of the Combined Court who waited upon Sir Henry Macleod privately.

1861. Mr. *Wilson.*] Will you turn to Question 1335; you there find that I asked you the question: "Having had the sanction of the Home Government for the introduction of the ordinance, the colony felt every security as to its being allowed at home;" that was in reference to Lord Stanley's circular of 1843; to which you answered, "Not every security, I think. Having believed in 1841 that the loan ordinance introduced by Sir Henry Macleod would be confirmed by the Home Government, and having been disappointed in that, they had not every assurance that that which was passed in 1844 would be confirmed." That answer also must have been under the impression that the loan ordinance of 1841 had been passed, and had been refused?—It was given under the knowledge that that loan bill had been introduced.

1862. But you speak of a loan ordinance; the ordinance of 1844, which had been introduced under the distinct sanction of the Home Government by Lord

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Stanley's circular, and which had been passed by the court, and sent home for the sanction of the Home Government?—Yes.

1863. You then proceed to say that the loan ordinance of 1841 having been passed, it was not confirmed by the Home Government?—I say, "Having believed in 1841 that the loan ordinance introduced by Sir Henry Macloed would be confirmed by the Home Government."

1864. You meant a loan bill, I suppose?—A loan bill.

1865. Will you turn to Question 1593: you find there that you were asked a question by a member of the Committee in reference to the question which I had previously asked you: "You have been asked some questions respecting the three ordinances, and how far they formed then, and were subsequently considered to form, part of the engagement on which the civil list was given;" three ordinances; that ought rather to be two ordinances and a bill?—I meant the civil list, the immigration, and the loan ordinance.

1866. *Chairman.*] And the loan bill?—And the loan bill.

1867. Mr. *Wilson.*] Then in Question 1597, you are asked towards the end of the question, "Am I to understand you to say, that after the estimates and the civil list had been agreed on with Sir Henry Macleod in the meetings you have alluded to, those three ordinances were considered by the court to form one, and that they had perfect confidence in Sir Henry Macleod, that in agreeing to the civil list they would obtain also the immigration and loan ordinance?—I certainly expected it." Do you confirm that opinion still?—Yes; I certainly expected that having passed the civil list, the immigration ordinance and the loan bill would have been completed and confirmed.

1868. Were those three ordinances considered as one, and a condition of the civil list?—Yes; they were always looked upon in the colony as having relation the one to the other.

1869. Then you are asked a Question, 1601: "In that respect, therefore, the civil list being granted on the assurances of those two ordinances, faith was not kept with the planters?" you say that you believe so; was that ordinance passed, and was faith not kept with the planters by the Home Government:—It appears that the ordinance was not passed in the colony.

1870. Therefore, when you gave this answer with regard to the ordinance in 1841, which I have alluded to, you were then labouring under the impression, which you have since discovered to be an erroneous one, that the ordinance to which I have referred had been passed, sent home, and refused?—I thought that it had been passed by the colony.

1871. Mr. *Hume.*] Are you aware that Sir Henry Macleod calls it a loan bill in his despatch, and that he annexes an ordinance; the same document being called a loan bill and an ordinance?—Yes.

1872. Mr. *Hawes.*] The same thing is called a draft ordinance?—Yes.

1873. It was sent home incomplete?—Yes.

1874. Lord *Hotham.*] Can you inform the Committee whether those members of the Combined Court who did not form part of the deputation were made acquainted with what had passed at the interview between the deputation and Sir Henry Macleod?—The same day; immediately after, I believe; I think we met every day.

1875. Can you say whether it was between the interview with Sir Henry Macleod and the public meeting of the court?—Yes; when we went into court every elective member of the court had been informed of what had taken place between Sir Henry Macleod and the deputation which had been in negotiation with him.

1876. Can you tell us how the deputation was selected?—No; I do not think any particular form of selection was gone through.

1877. Were the parties selected on account of the extent of their interest in the colony, or as being persons taking a leading department in the Combined Court, or as persons remarkable for their intelligence?—As being the persons best qualified by their knowledge of all the circumstances to conduct the negotiation with Sir Henry Macleod.

1878. And they reported to you, immediately after they had left him, what had taken place?—Yes; every day, I believe.

1879. There were more interviews than one, were there?—I can scarcely recollect positively; but Sir Henry Macleod was several days in the colony before we met in the court, and I think it very likely that there may have been

been two or three interviews in one day between the parties and Sir Henry Macleod, and that they may have reported, between those interviews, what took place.

1880. Your impression is that they took the earliest opportunity after the interview with Sir Henry Macleod of reporting to the other members what had taken place?—Yes.

1881. Mr. *Villiers.*] Do you know whether the constitution of the government has been the subject of any public consideration in the colony?—Very often; you mean the constitution of the colonial government?

1882. Yes. Have there been any resolutions come to by any important body of the colonists?—Frequently by public meetings I think.

1883. Are you speaking of recently?—I am speaking of various times; I think that for the last 10 years the question has been frequently brought forward before the public.

1884. But during the last three or four years?—Yes; I believe even within the last year something of the kind has taken place.

1885. Is there any particular reform that has been agreed upon at any meeting or by any body of the colonists?—Resolutions have been passed at those meetings, but I do not recollect what they are.

1886. You do not know what the nature of the reform in the constitution of the government is that the colonists require?—I think at those meetings it has generally been a council and house of assembly, such as exists in many of the islands.

1887. Can you tell us what the constitution of that assembly has been proposed to be?—Do you mean who should choose it, how it is to be chosen?

1888. Exactly so; the qualification of the electors?—No, I do not know.

1889. You do not know how low the suffrage has been proposed?—I do not.

1890. But the proposal was to make it a popular assembly?—Yes.

1891. And how is the council to be constituted?—I do not recollect.

1892. Do the proprietors generally approve of that reform?—On that special mode of reform I do not think that they ever, as proprietors, expressed an opinion; I think opinion in the colony is divided on the subject.

1893. You are particularly connected, I believe, with proprietors and planters in the colony?—Yes.

1894. Are they favourable to the constitution of a popular assembly in that colony?—I really cannot tell; I do not know. I never had any discussion on that subject with proprietors, therefore I cannot tell.

1895. You cannot give the Committee any information as to the particular reform in the constitution of the government that is required in the colony?—No further than I have said.

1896. Sir *J. Walmsley.*] Are you so acquainted with the circumstances of the colony as to be able to form any opinion of the probable increase of produce by improving the cultivation?—I think that no improved mode of cultivation which has been adopted yet has been successful in producing a larger return from the land than the ordinary mode of cultivation that has been in existence for a very long time.

1897. Are you able yourself to point out any means by which the crop of sugar would be greatly increased?—Yes; by having a sufficiency of regular continuous labour.

1898. By a larger amount of immigration labour?—Yes; by being able to command a regular quantity of labour constantly.

1899. Have you considered to what extent, by a large increase of immigration, you could increase the produce of sugar in Guiana?—I should almost call it unlimited.

1900. Would that increase take place in an equal or a grater ratio provided the system of tile drainage and horse husbandry were adopted?—I do not know, but it would be enormously expensive to introduce it.

1901. You think it would be more expensive than by the present mode of producing sugar?—Yes; because the country is so flat that it is difficult to get the water off the ground. You could not introduce tile drainage unless, in the first place, you introduced machinery for carrying off the water.

1902. Have you seen Governor Light's evidence upon that subject; the replies which he gave to these questions?—I was present when he gave the replies.

1903. Then

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1903. Then you do not concur with him in the answers which he gave to those questions?—I should like to see the answers; I do not remember expressly his evidence sufficiently to say.

1904. His evidence was to the effect that tile draining and horse husbandry would greatly enhance the produce of the colony, and profitably reduce the number of labourers so employed?—I do not think that it could be introduced under present circumstances; nobody could afford to do it, because it is too expensive.

1905. Then I apprehend that you are of opinion that the system of open drainage, as the sugar is now cultivated, is better than a system of tile draining. Without tile drainage you are aware that horse husbandry cannot be employed?—I am.

1906. Then are you of opinion that open drainage is better than tile drainage?—I was of opinion that tile drainage would be the best, and I intended to introduce it myself. I had made large preparations for beginning, by establishing machinery; but I found the expense so great that I could not undertake it for a problematical advantage. I did not see that the advantage was certain, and therefore I could not undertake it.

1907. What portion of it constituted the great expense in applying it as you first thought of?—The first expense was a draining machine, and a steam-engine for working it.

1908. Not the expense of the tiles?—I do not think the expense of the tiles themselves would have been so great, but the expense of laying the tiles would have been immense.

1909. Would there be a greater expense in laying the tiles in the colony than there would in the ordinary mode in this country?—There would be a much greater expense.

1910. How would that expense arise?—Because labour is higher.

1911. What is an able-bodied labourer capable of earning a day in Guiana?—Doing ordinary work?

1912. Doing ordinary work; give him task-work in laying down your tiles?—If a labourer worked as a labourer works in this country, he could make in the ordinary field work 3*s.* to 4*s.* a day.

1913. Mr. *Hume.*] With the same number of hours' work?—Working 12 hours a day.

1914. Sir *J. Walmsley.*] Have you a great difficulty, in cultivating estates, in finding labour?—Yes; there is great irregularity; we never know how many people we are to have working in one day; we cannot lay out our work to advantage for that reason.

1915. Then seeing those great difficulties of obtaining a continuous number of labourers for the cultivation of your estates, is it not obvious that it would be exceedingly desirable to try the other mode of tile drainage and horse husbandry, provided that mode was not much more expensive?—I think that there has been no encouragement to lay out any sum of money on the improvement of estates lately.

1916. I suppose that that depends upon the price which you realize for your sugar?—No; I mean to say that since by the Bill of 1846 we were placed in competition with slave labour, we have not the means any longer nor the inducement to go to that expense.

1917. Then am I to understand you to say that it would be cheaper still to continue immigration to a very much larger extent than at present than it would be to adopt the system of tile drainage and horse husbandry, by which you reduce the number of your labourers very materially?—I believe that if by the introduction of many labourers, and by having regular labour, our estates were to become profitable, great improvements in the cultivation would be adopted; that people would lay out the profit which their estates produced in a great measure in improving those estates, in improving their cultivation.

1918. But do you think that that would be a cheaper mode than the mode which I have pointed out; a large quantity of immigration rather than the other system?—I should prefer to lay out money in immigration than in improved machinery, under present circumstances.

Matthew James Higgins, Esq. called in; and Examined.

1919. *Chairman.*] ARE you connected with the colony of British Guiana?—I have possessed an estate there since the year 1838, and since that time I have visited it twice.

1920. What was the first occasion on which you visited the colony?—It was in the year 1838-9, in the winter, just after the abolition of the apprenticeship had taken place.

1921. When was the second time?—The second time was in the winter of 1846-7.

1922. When you were there in 1838-9, will you state to the Committee what were the difficulties which the employers of labour had to contend with?—I arrived there at the beginning of November 1838; the slaves had then been totally free for three or four months. I found that on my own estate, on which I went to live, the free negroes were excessively well behaved, but we could get no regular work from them; there were very good crops on the ground, but we could not get those crops taken off. You are probably aware that the labour of a sugar plantation requires a combination of small bodies of people, and almost every day one of these bodies of people would fail us; either the people would not bring the canes to the mill, or they would not put the engine round; in short, it was almost impossible to get a good day's work out of the gangs. The average that we made on my estate used to be three hogsheads a day, and we seldom in the winter of 1848-9, could get more than one hogshead a day made, and that very bad sugar, in consequence of the bad work that was done. I think I can illustrate what I state by a circumstance that took place on my own estate, which I find recorded in the Blue Book. After endeavouring to get the negroes to work regularly, we had recourse to a stipendiary magistrate, a gentleman of the name of Mr. Lockhart Mure. He arrived on the plantation, and tried several of the negroes for infringing their contract, which was a verbal contract, to work 28 days; he convicted them and imposed a small fine. He then told me that I must levy the fine from the labourers; that he had no means of doing it. I objected that it was out of the question that I should do so; that it was not my province to levy the fines imposed by him; and he told me that he had private instructions from the Governor not to send the negroes to prison under circumstances of that sort. The consequence was, that I find in the Blue Book I hold in my hand the circumstance mentioned, the names of the negroes, the date, the ground on which they were arraigned, their conviction, and the fines imposed, and to this day those fines have never been paid. This document is, "Papers relative to the West Indies," ordered by the House of Commons to be printed on the 15th August 1839.

1923. You did not choose to stop the pay out of their wages?—If I had stopped the pay out of their wages, at the end of the month, their contract being up, they would instantly have left the estate, and therefore I, of course, did not do so. But there is a stronger case I see mentioned in the same Blue Book, in the same page, page 238, of a woman who set fire to a field of ripe canes on an estate called Anna Regina. This woman was tried and was condemned to pay a penalty of nine guilders; that is about 13*s.* or 14*s.*; she said she had got no money; she had done no work for the estate; the magistrate gave the same answer, that he had no means of levying the fine, and the fine was not levied, and has never been paid to this day; the woman has gone unpunished, and I think that the great difficulties under which we have laboured until very lately, I may almost say until the present day, have been not more from the absence of sufficient laws to coerce the negroes, than from the indisposition of the Governor to enforce the existing laws. I think I could show the Committee by going through a course of Blue Books that that was the disposition of the Governor until a very late date indeed; for instance, Lord Stanley's circular which was sent out in 1843, empowering the colonial legislature to enact a vagrancy law, was not acted upon in Guiana, because Governor Light, in his answer to Lord Stanley, said that the relation between labourers and employers was so satisfactory that it was perfectly unnecessary to disturb it, and it was not until 1846 that that circular was acted upon by him.

1924. Can you refer to those instructions to Governor Light?—I can; the number of the Parliamentary Paper is 691, part III., of the year 1846, and the page

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page is 13. Lord Stanley sends out a despatch to Governor Light stating that the committee of West Indian merchants had submitted to him certain drafts respecting contracts for service, vagrancy, and tenancy as proper to be put in force in the Crown colonies. He states that, with a few verbal alterations, he sees no objection to the proposed regulations being carried into effect, and he requests Governor Light "to confer personally on the subject with such members of the Court of Policy as he may consider best able to judge of the dispositions of that body, and to ascertain whether it is desired that such laws should be enacted," and then come the various laws; the first is between landlord and tenant; the second concerns vagrancy; the third, administration of justice; the fourth, an amended Vagrancy Act, and the fifth, contracts.

1925. Sir *J. Hogg.*] What is the date of that despatch?—The date of this despatch is the 21st of June 1843. Governor Light answers it on the 9th of August 1843. The despatch is rather a long one, but the drift of it is to assure Lord Stanley that there is no occasion for any laws of the kind, and that Governor Light trusts that "the good sense of the unofficial members of the Court of Policy will prevent their attempting to risk interference in this tranquil and satisfactory state of the mutual relations of the mass and their employers."

1926. Does he state in that despatch that he has communicated with the Court of Policy upon the subject, and taken the opinion of members of the Court of Policy as to the expediency of the introduction of those laws?—He does not; the consequence was that those laws, although Lord Stanley's ordinance appears to have empowered the colony to enact them, and to carry them into effect, were not enacted or carried into effect, and on the 18th of December 1846, three years afterwards, Governor Light writes thus to Earl Grey.

1927. Mr. *Hume.*] Was there no communication between 1843 and 1846 on the subject?—Will you allow me to read what I was going to refer to, and then I will answer the question. It appears that in 1846, an ordinance regulating labour, founded on Lord Stanley's circular of 1843, was about to be—I do not know what the colonial term is—but was about to be carried into effect by the Court of Policy in Guiana, and certain missionaries in the colony objected to certain clauses in it; they petitioned on the subject, and their petition was sent home in a despatch from Governor Light to Earl Grey, dated 18th December 1846, in which he says, "The ordinance complained of has been before the public since August 1843, and is I think almost a transcript of the Jamaica Act, which was sent to me as a model. I had determined that all the necessary reforms in the civil and criminal code of this colony should precede this law, and my determination was not disapproved." That is to say, that he has been employed in the interim in reforming the civil and criminal code of the colony, and has allowed the improvement of the laws for the regulation of labour to stand over. In his despatch is an enclosure signed by the Attorney-general of British Guiana, Mr. Arrindell, who speaks of the proposed Ordinance or Bill in this way: "The Bill which forms Ordinance No. 30 of the year 1846 was introduced into the Court of Policy as far back as 1843, and was founded on one borrowed from the Jamaica Act on the same subject. From the year 1843 to the time of its being passed, it was constantly referred to by one or other of the members of the Court of Policy, who urged your Excellency to instruct the Attorney-general for the time being to carry the Bill through the court. Various causes delayed the Bill being passed into an ordinance, but none of these causes sounded any objection to the Bill itself." Therefore I submit, that it is very unjust to say that we have been at liberty, if we had pleased, in consequence of Lord Stanley's ordinance of 1843, to carry into effect the necessary laws for the regulation of labour in Guiana, when it appears from the statement of the Attorney-general himself that the members of the Court of Policy had been continually urging the measure upon Governor Light, and that he as constantly deferred it.

1928. Does Mr. Arrindell say in what way the members of the Court had urged on the Governor the propriety of passing that ordinance of 1843?—He merely states that "it was constantly referred to by one or other of the members of the Court of Policy, who urged your Excellency to instruct the Attorney-general for the time being to carry the Bill through the court;" and in Governor Light's despatch, in which it was enclosed, he says that he had not done so because he was otherwise occupied, in reforming the criminal law of the colony.

1929. Sir

1929. Sir *J. Hogg.*] If there was any distinct proposal made by any member of the Court of Policy relative to the introduction of these laws, that proposal would appear upon the recorded proceedings of the court?—I merely visited the colony on two occasions. I am not acquainted with the proceedings of the court; I have no means of referring to them. I take the statement of the Attorney-general, who was constantly there, and therefore, I suppose, knew what he was saying.

1930. Are you aware whether the proceedings of the Court of Policy are or are not reduced to writing?—I believe they are printed, but I have not got them.

1931. *Chairman.*] Were you aware, in 1839, of any ill-feeling against the Governor at that time?—I was in the room the other day when Governor Light gave his evidence. He stated that he thought that an ill-feeling had been engendered, in consequence of the sudden abolition of the apprenticeship. It was abolished, I think, two or three years before the time which had been originally agreed upon. I was in the colony a few months afterwards, and I do not think there was any ill-feeling on that score, because, in fact, he had had nothing to do with it. I think that the despatch which announces the final abolition of the apprenticeship was signed by Colonel Bunbury, who was his predecessor. I do not think that Sir Henry Light had anything to do with it.

1932. Do you believe that the constant representations made by the Governor of the success of the estates and the industry and progress of the negroes were well founded?—I am sure they were not; I do not think that he, at that time, had the means of knowing the real condition of the estates in the colony. He unfortunately, when he first went into the colony, appointed certain persons as his aides-de-camp; he mentions that in one of his answers as one of the reasons for the opposition which was shown to him. The gentlemen whom he appointed had been, I believe, the aides-de-camp of his predecessor, who was the officer commanding the troops, and who had succeeded to the Government of the colony in consequence of the death of Sir Carmichael Smith. One of those gentlemen was a clerk in a bank in George Town, another was what they call a town agent, that is a person who ships the sugar for the planters who have their estates in the country and send it up in small schooners to the shipping; another was a merchant in George Town; they were not planters; they were not practical men. By those men he was surrounded, I believe, more or less during the whole time he was in the colony; and I think it was in consequence of the representations which those men made to him that he was generally deceived in the representations which he sent home to the Colonial Office. All of them speculated very largely in estates, having no money whatever; every one of them failed, and I think that most of them have been provided for by Governor Light in the public service of the colony subsequently. I think the planters who were living on their estates were very much irritated at seeing gentlemen, by whom many of them had lost a great deal of money, promoted to places of trust in the colony, and I think that to that a great deal of the constant opposition, which Governor Light describes as having existed during the ten years that he governed the colony, may be traced.

1933. Those men all became bankrupt, did not they?—I think every one of them. At that time, when estates were sold by public vendue, the custom was that the purchaser did not pay money down, but that he gave bills at ninety days; he got securities that those bills were good, and entered into possession of the estate. The money which was thus deposited in bills was not required until all the claims upon the estate had been settled, therefore it was possible for a dishonest man to get possession of an estate and keep up a small litigation about claims on the purchase money of the estate, or to employ other people to do it, and so retain possession for many years before he was called upon to take up his bills. In Governor Light's Evidence, he mentions Mr. Bagot as having done that with regard to Peter's Hall, and it was done in the case of several other estates by others of his aides-de-camp; and I think that if you were to question any respectable person connected with the colony, he would tell you that those transactions were fraudulent transactions. Two of the gentlemen who acted more or less in this manner, I see, have sent home, in the papers which have been presented before this Committee, proposals for remodelling the constitution of the colony.

1934. Mr. *Hawes.*] Up to what date do those observations apply as to the

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practice existing in the colony of purchasing estates?—I think the law was altered in 1842 or 1843; the law is altered now.

1935. *Chairman.*] Then I understand you to say that these aides-de-camp of the Governor purchased their estates in that manner?—Some of them did.

1936. That they became bankrupt, that they still remained as aides-de-camp to the Governor, and were finally provided for in the public service of the colony?—Yes.

1937. Mr. *Hawes.*] Does that apply to Mr. Bagot?—It does.

1938. Was he not dismissed?—I believe he was dismissed after several transactions, any one of which ought to have occasioned his dismissal; and I think you will find that Governor Light stated that he had only done what had been done 500 times before in the colony, and that in fact there was nothing in the matter that could be blamed.

1939. *Chairman.*] Will you state what Mr. Bagot did in respect of Peter's Hall Estate; what situation did Mr. Bagot hold?—Mr. Hawes probably will correct me if I am wrong, but I think it was registrar, acting registrar; and it was his duty to see that the bills given for estates sold in this manner were good bills.

1940. Do you remember the date of his appointment as registrar?—I do not; he was appointed an aide-de-camp on the arrival of Governor Light in the colony, and I have not the means of knowing, but I dare say Mr. Hawes can give the date of Mr. Bagot's appointment as acting registrar. It was his duty to see that the bills given for the purchase of these estates were good; an estate being put up to auction, he purchased the estate himself, and he gave himself his own bills, which were bad, and notwithstanding that he retained possession of the estate for several years.

1941. Did he take bad securities?—He took his own securities, which were bad.

1942. Mr. *Hume.*] Was there no reference to any authority in the colony to ascertain whether those bills were good or not?—He was the person to be referred to; but that was not the offence for which he was dismissed, and I think you will find that Governor Light states that there was nothing to be blamed in that transaction; that he had only done what had been done 500 times before in the colony.

1943. How long did he remain in office after he had purchased the estate before he was dismissed?—That I cannot tell you; but he remained some years, I think.

1944. Mr. *S. Wortley.*] For what was Mr. Bagot dismissed?—I think for some defalcations. He had to keep those bills; a good deal of money passed through his hands, and I think there were some defalcations in his office, for which he was dismissed ultimately.

1945. Sir *J. Hogg.*] You stated that the aides-de-camp became insolvent?—Yes.

1946. And after their insolvency were appointed to public situations?—Yes.

1947. Was that the case with Mr. Bagot?—No; he was appointed previously, before he became insolvent.

1948. He held his situation of registrar while he was aide-de-camp?—He held both situations of aide-de-camp and acting registrar; aide-de-camp is merely an honorary situation.

1949. *Chairman.*] In Question 567 Sir Henry Light is asked, "Was not Mr. Bagot the acting registrar of the court when he purchased the estate?—He was." "Was not it his duty to receive proper securities for the payment of the money?—I dare say it was; but the fact was, that all the public officers bought estates, and the Governor never interfered." Question 569 is, "It was the duty of the registrar to receive proper securities for the purchase of the estate, was not it?—It was." "Did not he accept bad securities, he being the registrar and the purchaser of the estate?—That I do not know; I had nothing to do with his acceptances." "He was the purchaser of the estate, and he was the registrar who was to receive the securities?—Yes." "The securities turned out to be bad?—In the end I suppose they did." "Did not he keep possession of that estate for many years without paying for it?—Not for many years; he did what has been done 500 times: when you bought an estate at an execution sale you could keep it in Chancery, it might be for

10 years

10 years, without being called on to pay 6 *d.*" "Did not he retain possession of that estate for five or six years without paying for it?—After he lost his place, I fancy he did keep it." "Did not he pay all the expenses of the law-suit against him out of the profits of that estate?—I cannot answer the question." Then Mr. Hawes says, "But he was dismissed, was not he?" The answer is, "He was. Some matter was brought up against him, though there was nobody to complain of him; the chief registrar did not complain. There was nothing in which fault could be found with him in that purchase; it was some other matter that took place which caused his dismission?"—Yes.

1950. Mr. *Hume.*] Who was the chief registrar at that time?—I do not know his name.

1951. Was he resident in the colony?—I imagine not; I imagine he must have been away. I am now told that his name was Wilday.

1952. Where was the registrar at this time?—I do not know; I believe he was absent on leave.

1953. If the registrar, whose duty it was to ascertain that the bills given in payment of an estate were good, was absent on leave, was the same power left with the assistant-registrar?—No doubt it was.

1954. And as such he purchased?—And as such he purchased. But that is only one case. There is another case which I think is probably stronger than that: another of the aides-de-camp, a Mr. Goodman, purchased an estate called Vrow Anna estate, at public sale.

1955. *Chairman.*] First state who he was, and what he had been?—Mr. Goodman had been a clerk in the Commercial Bank; I think the purchase money for his estate, if I am not mistaken, was 32,000 *l.*; he purchased this estate, there being on it a mortgage to the amount of 15,000 *l.* or 16,000 *l.* due to certain merchants in Glasgow. He got possession of it; the securities that he gave proved to be men of straw; he kept up a certain litigation with regard to the claims on the estate, and retained possession of that estate for several years, keeping these merchants out of their legitimate claim for 16,000 *l.*; and he ultimately accepted 2,000 *l.* from them, after he had worked the estate out, to give it up to them again.

1956. Mr. *Hume.*] Who was the registrar that sold that property?—I should think Mr. Wilday.

1957. And accepted Mr. Goodman's bills as good?—Yes. That gentleman is now acting as Colonial Secretary in Guiana, or Assistant Colonial Secretary, and has also sent home a plan for a new constitution for the colony, which you have in those papers before you.

1958. Have you any objection to state the names of those merchants who had a mortgage, and who were kept out of their money?—I believe it was Mungo Campbell, of Glasgow; I think that was the name.

8959. Will you explain what you mean by his accepting 2,000 *l.* from the merchants?—The fact was, he had possession of the estate, and by ingenious litigation he could retain possession of it; and those merchants, not wishing to spend more of their money in law, preferred paying him a sum of money to get him out quietly, and to get possession of the estate which belonged to them.

1960. That estate which he had got he returned to the merchants, they paying him 2,000 *l.*?—So I am told.

1961. Had he at that time paid any portion of the money?—I believe none, except the fees on purchasing the estate.

1962. Can you state whether in the meantime, whilst he had possession of the estate, he had expended any money to improve the estate?—I should think he had not the means of expending any money upon the estate.

1963. Sir *R. Peel.*] What became of the vendor?—The estate had been so deteriorated in value, that it was not worth more than the original mortgage when given up, but at the time it would have been worth a good deal more. If it had been a *bonâ fide* sale when it was sold for 32,000 *l.*, there would have been a very large overplus.

1964. Mr. *Villiers.*] What is the date of the sale?—The date is in one of the Blue Books. This is one of the sales cited by Governor Light to show the prosperity of the colony.

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1965. Mr. *S. Wortley.*] You say that you believe Mr. Goodman paid nothing but the fees?—I believe he paid nothing but the fees.

1966. To whom were those fees paid?—They were payable to the public officers who sold the estate.

1967. Who were they; the registrar?—I suppose the registrar; I am not very cognizant of the customs of such transactions.

1968. Sir *R. Peel.*] Am I to understand you that supposing there had been a *bonâ fide* sale to a solvent purchaser, the sum paid would have been 32,000*l.*?—I think that is the sum given in this book.

1969. In that case the vendor would have been enabled to pay off the existing mortgage to the amount of 16,000*l.*, and to have received 16,000*l.* for the estate so sold?—If it was not otherwise mortgaged, certainly.

1970. Did the vendor lose 16,000*l.* by the intervention of this Mr. Goodman?—Either he or other claimants on the estate lost that sum.

1971. Supposing there were no other incumbrances upon the estate, there would be a clear loss of 16,000*l.*?—Yes. It is not probable that the estate was clear, otherwise it would not have been sold at forced sale.

1972. I am assuming that there were no other incumbrances upon it than the 16,000 *l.* Supposing that to have been the case, there was a clear loss to the vendor of 16,000 *l.*, in consequence of the purchase of this estate by Mr. Goodman, he not being able to pay a shilling?—There was.

1973. Sir *J. Hogg.*] What was the nature of those sales; were they sales by the sheriff?—Execution sales.

1974. According to the rules regulating those sales, was it not requisite that the purchaser should pay some deposit money actually down?—I do not think there was any deposit money to be paid down; I think he had merely to pay the fees, and to find securities that the bills which he paid in were good. He actually paid in the bills, which were supposed to be money; they were bills at 90 days.

1975. Had it been the established usage of the colony at those public sales to allow the purchaser to give bills for the whole amount, provided those bills were approved of by the registrar?—I believe it had.

1976. And to require no deposit whatever in cash?—I believe not; so I am told.

1977. Sir *R. Peel.*] This gentleman was not in the registrar's office, was he?—No, he had been recently a clerk in the Colonial Bank.

1978. Mr. *S. Wortley.*] His brother aide-de-camp was registrar?—Yes.

1979. Sir *J. Hogg.*] That had been the usage as regarded the public sales?—Yes.

1980. What was the usage as regarded private sales; were private sales generally for cash, or were the payments generally made in the same manner by bills?—Never having been engaged in any transactions of that kind I cannot tell you, but I should say probably in bills on England; then you would use your own discretion as to whether those bills were good, and I am quite confident that the bills of this gentleman would not have been accepted by any merchant in the town.

1981. Mr. *Hume.*] Are we to understand you to state that Mr. Bagot and Mr. Goodman were both aides-de-camp to Governor Light?—Yes.

1982. *Chairman.*] You have given us the history of two aides-de-camp: who was the third?—The third was Mr. Carbery, who failed; he was made a stipendiary magistrate.

1983. He bought estates too, did not he?—He bought estates also; but I believe not in that manner: he failed. He was, I think, suspended by Mr. Gladstone, in consequence of being an uncertificated bankrupt; he passed through the Insolvency Court, and was reinstated, and he is now sheriff of Essequibo, and, as I have said before, there is a plan for a new constitution also forwarded by him.

1984. Mr. *Hume.*] Who appoints the sheriff?—The Governor.

1985. Was he appointed whilst he was a bankrupt, or after he had been certified?—I have taken some pains to inform myself as to the precise state of the bankruptcy transactions there, and I am instructed that there is never any opposition made, no matter what may have been the nature of a man's previous transactions, whether they have been honest or dishonest. I believe not

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one attempt in Demerara has been made to oppose a bankrupt's passing through the court, because, if he were sent back to prison, the detaining creditor would have to pay a guilder a day for his keep, and as most people's affairs are tolerably well known there, if a man is known to have no money no one is disposed to go to any legal expenses, or to pay a guilder a day for his keep; therefore the circumstance of a man passing through the Insolvency or Bankrupt Court there unopposed is no proof that his previous proceedings have been justifiable.

1986. You have mentioned Mr. Gladstone's name; was that when Mr. Gladstone was Secretary?—The document before the Committee alludes to the circumstance; but that is merely one letter out of a great many; it is an answer to a letter which gives the circumstance, which letter is not given with it.

1987. The letter of Mr. Gladstone says, "I presume that had you been aware of Mr. Carbery's insolvency when you recommended him for the office of a stipendiary magistrate, you would not have thought yourself justified in withholding the knowledge of so material a fact from Lord Stanley;" is that the letter you allude to?—That is the letter I allude to. There was no doubt the Governor was aware of Mr. Carbery's insolvency.

1988. Do you think that he could not have resided in the colony as he did without the Governor knowing that he was insolvent at the time when he appointed him?—He was a gentleman who, in the despatches alluded to in Governor Light's examination, had been cited by Governor Light for the admirable manner in which he managed his estates. He was the Governor's aide-de-camp, and constantly living with him, and therefore I imagine he could not well have been ignorant of his insolvency. It is a very small community, and we generally know the state of one another's affairs.

1989. Sir *R. Peel.*] You say that these last gentlemen have sent home plans of reform?—Those two gentlemen have sent in a plan of reform.

1990. Does it embrace a reform in the law of real property?—I am not aware.

1991. Mr. *Hume.*] That letter to which you allude says, "On the assumption, therefore, that you were not aware of it, I am under the necessity of directing you to remove Mr. Carbery from his office;" was he removed from his office?—He was removed; he went through the Insolvent Court. There was some show of opposition made by Mr. Rose, but it was withdrawn, and he ultimately went through the court and was reinstated in his office, and he has since been promoted to be sheriff of Essequibo; and I think you will see in the paper which he has sent in, traces of the feeling which he entertains towards Mr. Rose, in consequence of his having been obliged, in his capacity as agent for parties in England, to oppose his passing through the court, and also, in fact, to sell him up.

1992. Mr. *Hawes.*] You were in the colony in 1838 and 1839?—I was; I was about four or five months there in the winter.

1993. Did you hear of those abuses in the registrar's office then?—I was not in the way of hearing of them; I was residing on my own estate, some 50 miles from the town, and did not mix myself up with the politics of the colony.

1994. You did not hear of them?—No.

1995. Nor did you hear that the Governor was then taking any step to reform the registrar's office?—I did not.

1996. Mr. *S. Wortley.*] Had the registrar any means of judging of the sufficiency of the sureties?—I suppose he would use his own discretion.

1997. Were they persons resident in Great Britain?—No; resident in the colony.

1998. Mr. *Hawes.*] What is the duty of the registrar in accepting either the security or the purchaser when an estate is sold by public auction?—If the purchaser gave him good bills he had no choice but to accept them; but he might at any moment have said, "I do not like these bills, and will not accept them."

1999. It is your opinion then that that power is vested in the registrar?—I believe it to be so.

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2000. Are you quite sure?—I will not say I am quite sure; I have taken some pains to inform myself on the subject.

2001. Mr. *S. Wortley.*] If the bills were drawn on parties in England or Scotland, he would have no means of judging of the sufficiency of those securities?—But they were not; they were parties in the colony supposed to be men of substance, who came forward and said, "We will be security."

2002. And by due diligence he might have informed himself of the sufficiency of those securities?—In some of the cases he might, I have no doubt; in other cases it would have been difficult.

2003. *Chairman.*] It was in the year 1839-40, was it not, that Sir Henry Light applied to the Government to increase the civil list?—It was.

2004. And he based his demand at that time on the indisputable prosperity of the colony, and on the expense of living in a country where the wages of labourers were so high, and the luxuries of life so dear, was not that the case?—I have here some Parliamentary papers which were moved for by Mr. Vernon Smith, dated June 1840, containing a despatch which Governor Light writes to Lord Normanby, stating the grounds on which he thinks the civil list ought to be increased.

2005. Mr. *Hume.*] What is the date of it?—The despatch is dated the 30th of July 1839; Mr. Light says, "I shall have the honour of annexing to this despatch a private and separate despatch, detailing the expenses of this colony in comparison with the Leeward Islands, taking Antigua as the criterion of all. My scale of civil list, which I now propose for your Lordship's approval, is based on the relative prices to this colony. In making a large increase to the salary of the Governor I place him on the same footing with the Governor of the Leeward Islands; I advocate the office, not my own personal interests alone, its tenure being dependent on life, health, and the approbation of Her Majesty's Government. On the same principle I add to the salaries of other officers in the following list." And then there comes a list, amounting to 36,750 *l.*, in which his own salary is increased from 3,500 *l.* to 6,000 *l.*, and the other salaries in rather a lesser ratio. It appears that there was some disinclination on the part of the colonists to accede to this increase, because he goes on to observe: "Could any boon be offered by Her Majesty's Government to the colonists, I do not despair of fixing the salaries at that rate on the civil list." And he ends thus: "In conclusion, in submitting my view of proposals for the new civil list, I look to the future prospects of the colony as well as its present condition. As its population increases so will its resources. It now furnishes more sugar than all the Leeward Islands united, and in proportion to its augmented population, so will the responsibility and labour of the public officers be increased." Then follows the confidential despatch which he wrote, stating the reasons why the civil list ought to be increased.

2006. He mentions a boon. Does it appear by that despatch what boon it was that the Government would give the colony?—My own impression is, that the boon which he hinted at was the removal of certain restrictions on immigration; but I think I shall be able to refer to certain documents which will place it more clearly before the Committee: "Copy of a despatch from Governor Light to the Marquis of Normanby, 31st July 1839. My Lord,—Humbly presuming it could not be the wish of Her Majesty's Government that the public officers in this colony should be on a worse footing than those of other colonies, I venture to lay before your Lordship a comparative scale of prices in this colony and in the Leeward Islands, all of which I have visited, in two of which I have resided sufficiently long to be a fair judge of the disproportionate expenditure of British Guiana to that required in Antigua or Dominica. In advocating the increase of salaries I am bound to show cause; I therefore respectfully trust your Lordship will excuse my entering into minutiæ of expense. The salary of Governor of the Leeward Islands is 3,000 *l.* per annum; his fees 250 *l.*; at British Guiana the salary is 3,500 *l.*" Then he gives the prices: "Butler in Antigua, 30 *l.* a year; in British Guiana 100 *l.* a year," and then there is a note saying: "The same person has lived with me from my first arrival at Antigua, and I am fortunate in retaining his services at the increased rate." Then comes, "Coachman in Antigua, 26 *l.*; in British Guiana, 50 *l.*; cook in Antigua, 26 *l.*; in British Guiana, 60 *l.*; all

all other servants in proportion double." He then goes on to state the price and keep of horses, which are about double, I think; and then of provisions, and it appears that beef was 9*d.* a pound in Antigua, and 1*s.* 1*d.* a pound in Guiana; that mutton was 1*s.* a pound in Antigua, and 2*s.* 2*d.* in Guiana; that poultry were 4*s.* a pair in Antigua, and 10*s.* a pair in Guiana; that a turkey cost 6*s.* in Antigua, and from 20*s.* to 30*s.* in Guiana; and that a ration of fish cost 2*s.* 0½*d.* in Antigua, and 29*s.* 2*d.* in Guiana. These are the reasons assigned for the increase of his salary.

2007. Mr. *Hawes.*] To show the increased cost of living?—Yes; just at that time all these gentlemen were speculating in estates with other people's money, and I have no doubt they lived very expensively; indeed I know they did.

2008. Mr. *Hume.*] To what gentlemen are you alluding?—Those gentlemen who lived in town, Messrs. Carbery, M'Turk, Goodman, and other gentlemen of that stamp; I have no doubt they lived very expensively, and it is possible that for a small season those prices may have been current, but it is very clear that those are not the prices which are given now; nobody gives 100*l.* a year for his butler, or 29*s.* for a turkey or a ration of fish in Guiana now.

2009. *Chairman.*] The colonists resisted that increase of the civil list in 1840, did they not?—They did.

2010. They were, however, compelled to accede to that increased civil list, by being told that they would not be allowed immigration if they declined providing "adequately" for the civil list, were they not; was not that the case?—I have here three despatches which will I think show that it was intimated to them that if they would not agree to the civil list, the restrictions respecting immigration should not be removed. The first is a despatch from Lord John Russell to Governor Light, dated 15th February 1840: "Sir, in my despatch, No. 56 of this date, I informed you that I would state in a separate despatch the modifications which I think necessary in an ordinance on the subject of immigration into British Guiana, to replace that which Lord Normanby advised Her Majesty to disallow. I now enclose for your information and guidance the draft of an ordinance containing those modifications, and embracing the measure which, after mature consideration, Her Majesty's Government are prepared to sanction. You will therefore propose this measure to the Court of Policy for their adoption. It must be left to your discretion to propose annually what amount of the public money shall be appropriated from the funds of the colony for the service of each year, to be applied to the purposes of immigration, in the manner pointed out in the accompanying draft; always however bearing in mind that you are not to be at liberty to sanction any such appropriation, unless adequate provision shall have been previously made on a civil list for the various departments of the local civil government."

2011. Mr. *Hawes.*] What is meant by the "appropriation"?—The appropriation of the funds of the colony to immigration. Then Governor Light, in writing to Lord John Russell on the 22d of June 1840, observes, "I would also submit respectfully for your Lordship's consideration, that so soon as, by the settlement of the civil list, I may be empowered to cause an ordinance to be enacted, sanctioning the application of public monies to the introduction of labourers, it would then be proper to enact that it shall be unlawful to load vessels with immigrants except on due observance of the provisions of the said ordinance"; thereby intimating that until the civil list was settled, he was not at liberty to sanction an ordinance for immigration. There is one more, in which Sir Henry Macleod writes to Lord John Russell, and says, "To the enactment of the immigration ordinance I gave every facility; it was your Lordship's own promised boon to the colony, so soon as they should have agreed to the civil list question." I think those three passages clearly show that unless we had agreed to the civil list we should not have obtained the indulgences which we wished regarding immigration.

2012. Of what date is that despatch from which you have last quoted?—January 23d, 1841.

[M. J. Higgins, Esq., continues his Evidence in the following sitting.]

Jovis, 29° *die Martii*, 1849.

MEMBERS PRESENT.

Mr. Wilson.	Mr. Hawes.
Mr. Hume.	Sir James Hogg.
Lord Hotham.	Mr. M'Cullagh.
Major Blackall.	Mr. Villiers.
Mr. Stuart Wortley.	Sir Robert Peel.
Mr. Disraeli.	Mr. Adderley.
Sir Joshua Walmsley.	

HENRY JAMES BAILLIE, Esq., IN THE CHAIR.

Matthew James Higgins, Esq., called in; and further Examined.

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2013. *Chairman.*] HAVE you any explanation which you wish to make respecting the case of Mr. Goodman, to which you alluded in your former examination?—I find the statement I made on Tuesday last might possibly lead to the supposition that I had not stated the case fully. Therefore if the Committee will allow me I will read a document which has been placed in my hands by a person who is fully acquainted with the circumstances: "The Vrow Anna estate, belonging to Mr. Milliken Craig, was in 1837 put under sequestration at the suit of Mr. Stephen Goodman, who had had assigned to him (for what consideration does not appear) a third mortgage on that property. Messrs. Mungo Campbell, sen. & Co. of Glasgow, held a first mortgage upon it for 8,333 *l.* 6 *s.* 8 *d.*, and a second mortgage for 12,867 *l.* On the 24th of November 1848 the estate was sold at execution sale, Messrs. Campbell bidding 430,000 guilders for it; it was bought by Mr. Goodman for 435,000 guilders, or 32,000 *l.* The proceeds of the crops which had accumulated during the period that the estate was under sequestration, amounted to about 15,000 *l.* As a considerable period may elapse before the respective rights of claimants to the purchase-money of properties sold at execution sale can be decided, security is lodged with the marshal of the colony for the amount; the qualification of such securities being, that each security shall possess within the jurisdiction of the colony, unincumbered landed property to the value of the sum for which he becomes security. In the case of the Vrow Anna, the marshal, who was an uncle of Mr. Stephen Goodman, accepted as securities Mr. Lawrence Fitzgerald, Mr. J. H. Holmes, Mr. R. G. Butts, not one of whom possessed the qualifications required by the law, and although the attorney of Messrs. Campbell, the holders of the first and second mortgages, protested and petitioned the court against their being received, and prayed that the amount might be ordered to be paid over to the Colonial Bank, his prayer was rejected by the court, which stated that as the marshal had intimated his satisfaction with the securities given, they, the court, would not interfere. All three securities shortly afterwards became insolvent. Five years after the date of the execution sale in 1843, the Supreme Court of Civil Justice pronounced sentence, declaring that the 3d mortgage, held by Mr. Goodman, was preferent to the 1st and 2d mortgages, held by Messrs. Campbell. Messrs. Campbell appealed; and in May 1846 the Lords of the Privy Council completely reversed the decision of the Supreme Court, and referred the matter back to Demerara, pointing out the principles on which the accounts ought to be adjusted; and in virtue of which, Messrs. Campbell succeeded in establishing their claims, under the 1st and 2d mortgages, to a sum of 21,500 *l.* Notwithstanding this, Mr. Goodman continued by vexatious opposition to prevent even the payment of the 15,000 *l.* to Messrs. Campbell, it having remained *pendente lite* in the registrar's office, bearing no interest; and at last, rather than incur further delay

delay and litigation, Messrs. Campbell actually paid Mr. Goodman 2,000*l.* to induce him to permit a settlement of the matter. The estate having been for several years in Goodman's possession, was in a state of dilapidation, and was purchased at execution sale, in 1848, by Messrs. Campbell for 1,050*l.*" I beg leave to observe that I was also in error in supposing that the registrar of the court was the person whose duty it was to ascertain that the securities were good. The marshal of the colony is the person whose duty it is to do that; the duty of the registrar being to receive those securities, to take care of them, and to receive the value of the bills as they become due.

2014. Mr. *Hawes.*] The court which is referred to there is the Supreme Court in the colony, I presume?—Yes.

2015. Composed of three judges; is not it the chief judge and two puisne judges?—I do not know. As it is the Supreme Court, I suppose it is.

2016. *Chairman.*] You say the provost-marshal, and not the registrar, was the person whose duty it was to ascertain that the securities were good?—It was.

2017. The marshal's office is one of considerable trust and responsibility, is not it?—I do not think I am qualified to give the Committee an account of all the duties of the provost-marshal; I am not sufficiently well acquainted with the duties of his office to do that, but one of his duties undoubtedly is to ascertain that the securities given in case of forced sales are good, and to receive the bills and hand them over to the registrar. I observe that in order to secure parties from loss, by an ordinance passed by Governor Light on the 27th of September 1838, it is enacted, "That the provost-marshal, or any other person hereafter to be appointed provost-marshal, shall for the due and faithful performance of his duty in his said office of provost-marshal, enter into and execute a bond or obligation in writing, himself in 4,000*l.* sterling, together with two securities, to be taken by the Governor, Lieutenant-governor, or the officer for the time being administering the government, subject to the approbation of the Court of Policy, jointly and severally in the sum of 2,000*l.* sterling, to Her Majesty, her heirs and successors, for the public uses of the colony, and conditioned for the due and faithful performance of his said duty, and for accounting for the due payment of all such sum or sums of money as shall be received by him in the course of his said office;" and a subsequent ordinance, passed by Governor Light on the 3d of October 1839, to amend the ordinance to which I have just referred, enacted, "That from and after the publication hereof, so much of the said ordinance as declares that the securities given by the provost-marshal shall be subject to the approval of the Court of Policy, shall be and the same is declared to be repealed and annulled from henceforth, and the approval of such securities shall be and is hereby vested in the Governor alone." There has been another alteration in the office in 1847, but I am not in possession of the facts respecting it.

2018. Mr. *Hawes.*] You understand it was the duty of the provost-marshal to accept those securities, and not the registrar?—Yes.

2019. So far you correct your evidence on a former day?—I do.

2020. *Chairman.*] What is the salary of the provost-marshal?—I was reading the other day some debates in the Court of Policy, in which I saw the salary during the tenure of the office by the late provost-marshal stated to have been about 1,400*l.* a year, but in some memoranda which have been kindly supplied me by the Colonial Office, I see he is mentioned as having no fixed salary, and as having received in fees in the year 1847 only 214*l.* 0*s.* 6*d.*; I think there must be some mistake in that.

2021. Do you know when the provost-marshal was appointed?—It is stated in those memoranda that he was appointed on the 22d of May 1847.

2022. He now performs his office by deputy, does not he?—Mr. Hawes has stated that he is in England at this moment.

2023. Are you able to point out to the Committee any documents describing the antagonistic views of Sir Henry Light and the colonists, with regard to the prosperous state of the colony in the years 1839 and 1840?—The despatches I am about to refer to are contained in papers relative to the West Indies, presented to both Houses of Parliament by command of Her Majesty in 1842. In a despatch from Governor Light to Lord John Russell, dated the 1st of October 1841, he speaks of Mr. Carbery, the gentleman to whom I have before, in these terms, referred: "This gentleman has been one of the first to see the advantages of an independent class of labourers; he has a valuable estate close to George

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Town, called 'The Thomas,' fully peopled, in high cultivation, and to him of easy management."

2024. What did he allude to in that statement that "The Thomas" was fully peopled?—I imagine that this gentleman, who bought that estate, and I believe had not paid for it, had sold a good deal of it out in lots to the negroes, and that was done by a great many other parties similarly circumstanced in the colony; they purchased estates upon credit, and sold them out to the negroes, who at that time had a great deal of money.

2025. For ready money?—They generally paid one-half down, and the other half when the transfer was made. In a despatch from Governor Light to Lord Stanley, dated November the 23d, 1841, he speaks of Sir Michael M'Turk, who was one of his aides-de-camp; he says, "This gentleman (of whose support I have made frequent mention) is one of the most experienced planters in the colony. He has no cause in his own person to dread reverse or the future, his estates working well and profitably." In a despatch from Governor Light to Lord Stanley, dated the 20th of January 1842, he reports "the purchase of plantation Plaisance, on the east sea coast of Demerara, about five or six miles distant from George Town, by 65 labourers, for the sum of 39,000 dollars, of which 15,000 have been paid down; the remainder is to be paid by instalments of six, 12, and 18 months' date." He concludes, "Permit me to congratulate your Lordship on this additional proof of the progressive advance in the condition of the lately emancipated labourers of British Guiana." I can show the Committee all through these despatches similar passages, in which Governor Light describes the prosperous state of the colony, and the injustice of the planters, who pretend that the negroes are not industrious, and do not perform good work; but probably the most concise proof I can give of the opposite views which Governor Light and the planters took of the state of the colony at that time, is contained in a despatch from Lord John Russell to Governor Light, dated the 15th of February 1840, in which Lord John Russell says, "I will not at present enter into the question upon which you are at issue with the planter proprietors of British Guiana, namely, whether the colony is at this moment prosperous or the reverse." That clearly proves that Governor Light's views were opposed to those of the planters, because the gentlemen whose names he has mentioned in the despatches from which I have quoted were not planters; they were merely speculators in estates. What I have stated respecting them is borne out, I see, by a "List of estates sold at execution sale, on the net proceeds of which no sentence of *judicium preferentiæ et concurrentiæ* has been held by the court," sent home by the Governor of British Guiana on the 12th of April 1848. The estates to which I have referred, the Vrow Anna, the Peter's Hall, and the Malgré Tout, are mentioned here. Vrow Anna is stated to have been sold on the 24th of November 1848, for 145,000 dollars; and the remark on that on the 12th of April 1848 is, "Deficiency on original purchase not yet paid." That is to say, the gentleman who had bought it 10 years ago had not paid for it; that was Mr. Goodman, the Governor's aide-de-camp. Then the Peter's Hall estate is stated to have been sold on the 7th of May 1841 for 113,000 dollars, and to have been resold on the 3d of November 1847 for 26,500 dollars; and the remark on that is, "Still in debate; deficiency on original purchase not yet paid." That is the estate which Mr. Bagot, the Governor's aide-de-camp, bought; and the Malgré Tout estate, which was bought by Mr. Holmes, the Governor's aide-de-camp, on the 4th of October 1843 for 114,000 dollars, is said to be still "In debate; advertised to be resold." Therefore that bears out the Governor's statement, that most of the public officers bought estates at public vendue at the time, and by the management which he has described, and by dextrous litigation, contrived to hold them without paying for them for some years.

2026. Mr. *Hawes.*] Of what date were those transactions?—They are of various dates; the first I mentioned is the 24th of November 1838; the second the 7th of May 1841; and the third the 4th of October 1843. It must be observed that all those gentlemen failed before the price of sugar became so low as it has latterly been; it was not through the low price of sugar that those failures occurred.

2027. *Chairman.*] When Sir Henry Macleod was sent down from Trinidad to settle the dispute between the colonists and Sir Henry Light, did not he agree upon the passing of an immigration ordinance which would satisfy the colonists?—I think that is borne out by the despatches to which I have already referred.

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2028. Do you know whether that immigration ordinance was disallowed by the advice of Sir Henry Light?—I find a despatch from Governor Light to Lord John Russell, dated January 25th 1841, in which he writes thus: "The next measure to which Sir Henry Macleod applied himself was the ordinance regulating the introduction of emigrants. I enclose the draft which after mature deliberation your Lordship forwarded to me as a model, and to which I should have given effect; and I enclose the ordinance on this subject enacted by Sir Henry Macleod and the Court of Policy. In two of its most essential executory provisions there is a departure from your Lordship's draft. The Combined Court, in lieu of the Governor and Court of Policy, are to determine the amount to be appropriated to emigration, and the issues of money are to be by warrants in the customary form, instead of by warrant, as your Lordship directed, by the Governor alone. This change in the original draft places the funds virtually at the disposal of a finance committee of the colonial members of the court, upon whose certificate the government secretary is at present, by custom, obliged to issue a warrant in the name of the Governor and Court of Policy. The third measure is the loan bill, to the principle of which, as well as to its details, I request your Lordship's attention, and can scarcely doubt that you will find in my former despatches ample reasons for its rejection." He does not advise him to reject the immigration ordinance, but he advises him to reject the loan bill.

2029. Another immigration ordinance was substituted for that granted by Sir Henry Macleod, was not it?—The same ordinance was sent out altered, and the alteration was the alteration suggested by Governor Light in that despatch, namely, that the application of the immigration funds should be at his sole disposal, instead of being at the disposal of the finance committee of the members of the court.

2030. Was that a very important alteration?—As Governor Light has stated himself, he was almost always in a state of collision with the elective members of the Court of Policy, and with the lower court. It gave him the absolute control of the immigration. If he had chosen to withhold immigration from the colonists in any year, if he had chosen to propose nothing, they could not have made any initiative movement.

2031. Therefore it left the immigration entirely at the disposal of the Governor?—So it appears to me.

2032. Do you know what was the amount of Sir Henry Macleod's salary at the time he came to Guiana?—I believe it was 3,500*l.* then.

2033. Was that as Governor of Antigua or Trinidad?—He was Governor of Trinidad.

2034. Did not the same circumstances which were urged as a reason for increasing the salary of the Governor of Guiana, equally extend to Trinidad?—I should imagine that they did.

2035. The price of provisions was the same?—I can see no reasons why the price of provisions should be higher in Guiana, than in Trinidad.

2036. Was the salary of the Governor of Trinidad increased then, or at any other time?—I believe it has remained ever since, 3,500*l.* a year.

2037. Has not Lord Harris proposed to diminish it to meet the pressure of the times?—I have lately read a despatch from Lord Harris to Lord Grey, in which he suggests that to meet the pressure of the times, all public salaries in Trinidad should be reduced; his own 33 per cent., and those of the inferior public officers in the colony in a lesser ratio, in order that public officers in the receipt of large salaries should thus make a greater sacrifice than those who were in the receipt of small salaries. Lord Grey's answer was, that he thought that was a bad principle; that it would be better to take all salaries above 150*l.* a year, and to reduce them in an equal ratio; but that Lord Harris, being on the spot, was a better judge of what was to be done than Lord Grey, and that therefore he left it to him to act as he deemed best.

2038. He did not object to his doing so?—He did not do so in the despatch which I read.

2039. Will you read to the Committee the evidence given by Governor Barkly before the Committee on Sugar and Coffee Planting, relative to this question?—The Chairman, Lord George Bentinck, in question 10944, asks Mr. Barkly, "Do not you think, if there were to be a reduction of 25 or 30 per cent. from the salaries of all civil officers, including judicial and ecclesiastical officers, in

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British Guiana, that would have a great moral effect in the reduction of the wages of the lower classes?" Mr. Barkly answers, "That certainly was the expectation of the inhabitants of the colony themselves; directly it was resolved by them to reduce the wages to that extent, the Court of Policy, which happened to meet at that time, came to the resolution that the Governor should be requested to petition the Queen to allow that reduction. The matter is in the hands of the Colonial Office, because the civil list of the colony has been voted for a period of seven years beyond the present time. It was continued by one Act up to December of last year, and at the time when the planters were very desirous of obtaining immigrants, it was made a condition by the Colonial Office that they would consent to an Immigration Act and to a loan ordinance for effecting immigration, provided the civil list was continued for a further period of seven years beyond the time to which it had been previously continued." "What was the legitimate connexion between the renewal of the civil list and immigration?—There was no connexion at all, further than that both matters were under the despotic sway of the Colonial Office, and they chose to connect the two. I do not mean to say there was anything like a publicly expressed threat that the planters should not have immigrants if they would not vote the civil list, but it was implied and signified in pretty clear terms to the planters that they would not get the one without the other. I believe the one measure was suspended till the other had actually passed." "Does that appear from the despatches which have been laid before Parliament?—I do not think it does, with respect to the continuation of the civil list; but on its original imposition, in 1841, I find Sir Henry Macleod, who was sent down to Demerara in consequence of the quarrel between the colonists and Governor Light on the subject, writing thus to Lord John Russell on the 23d May (Parliamentary Papers, British Guiana, 1841): 'To the enactment of the immigration ordinance I gave every facility. It was your Lordship's own promised boon to the colony, so soon as they should have agreed to the civil list question.' Notwithstanding this, as already mentioned, the immigration ordinance was refused as soon as the civil list was secured; and it was not till 1844 or 1845 that the immigration and loan ordinances were allowed by Lord Stanley, on the express condition of a new civil list being voted; but I do not know of any published document showing that. There were despatches, because Governor Light read the despatches to the Court of Policy." "Can you produce any record of that communication by Governor Light to the Court of Policy?—No; I am not in a position to do so. I ought to say, that the despatch was read to them under an injunction for its being kept quiet; and I do not suppose I should have been aware of the fact if I had not been concerned myself in negotiating the matter for them in Downing-street. The fact remains that the civil list was forced upon them, and, however it was done, I do not think that the Colonial Office are in a position to deny in this case that it was made a *sine quâ non* to their getting immigrants that they should pass a civil list of 33,750*l.* for seven years." "Do you think, if the colony had been aware that their protection was to be taken from them in 1846, they would have consented to pass that costly civil list?—I do not think they would have been so desirous to get immigration or raise a loan, if they had been aware of it. It was for the purpose principally of the coolie immigration, which has proved so expensive; as things have turned out, they would not have passed the civil list certainly." "The condition upon which they voted the civil list was that they were to have a loan advanced to them?—No; they were to be permitted, upon their own credit, to raise a loan in this market." "You do not think, if in 1844 they had known that their protection was in two years to begin to be diminished to 7*s.*, and gradually to be abolished altogether in 1851, they would have speculated in any further immigration?—No; I think not. With respect to the coolie immigration, which was the object of the loan, I do not think they would have gone into it if they had known that such a change was about to take place in the sugar duties." "Is it now alleged against the colony that it would be a breach of faith to insist upon a reduction of the civil list?—I have had no communication with the colonial minister upon the subject; but there I think it was rather held up by the Governor that it would be a breach of faith. The inhabitants of the colony were exceedingly anxious to take the law into their own hands, and refused to devote more than a certain sum of money for the government officers; but the Court of Policy, who had the responsibility upon them, refused to do that, and contented themselves with petitioning the Colonial Office to let them off."

2040. Have you any information to give to the Committee relative to the renewal of the civil list in 1844?—No, I have not. I think Governor Light admits that it was renewed in exchange for a loan ordinance in 1844, upon which loan ordinance, from various circumstances, we were never able to borrow money till 1847; therefore there were three years lost to us.

2041. How were those three years lost to you?—The loan ordinance was passed in 1844, but it was not confirmed by Her Majesty's Government, in consequence of sundry objections started by the Colonial Office, till October 1846, when, owing to the state of the money market, the demand for capital and the rate of interest having greatly increased in the meantime, it could not be acted on. A new ordinance had therefore to be arranged to increase the rate of interest prescribed by the former Act; the first loan under it was only effected in August 1847, and on terms most disadvantageous to the colony, being at a rate of interest 50 per cent. per annum more than the money could have been raised at had the loan ordinance of 1844 been confirmed in due course by Her Majesty's Government.

2042. Mr. *Hawes.*] Are you stating that from your own knowledge?—I understand this information comes from one of the Loan Commissioners.

2043. Will you state which of the Commissioners?—I think it comes from Mr. M'Cleary.

2044. Mr. *Hume.*] Do you mean by that statement to say that if the ordinance had been agreed to by the Colonial Office when first sent home, as the colonists expected, the state of the money market would have allowed them to conclude the loan on terms much more favourable than they were able to obtain at the time they did conclude it?—That is precisely what I mean to say.

2045. Mr. *Hawes.*] The statement you have made is not from your own knowledge, but from the authority of one of the Commissioners?—I have stated the authority upon which I have made it.

2046. Sir *J. Hogg.*] What Commissioners were they to whom you allude?—The Loan Commissioners for raising money for immigration into British Guiana.

2047. Are they local commissioners, or commissioners in this country?—They are commissioners in this country.

2048. *Chairman.*] Do you think the colonists, having accepted the loan ordinance in exchange for the civil list, can be accused of having broken faith with the Home Government in having stopped the supplies?—I do not think they can fairly be accused of having broken faith with the Home Government in having stopped the supplies; I think that circumstances are so much altered by the various changes which have taken place, that it is unfair to expect us now to pay the same salaries which we paid in better times, and more especially when we see both Trinidad and Jamaica, with the concurrence of Her Majesty's Government (at least Trinidad), effecting very large reductions in the salaries of public officers.

2049. Mr. *Hume.*] You consider it unfair towards Guiana that the Colonial Office should sanction reductions in Trinidad and other places, and refuse permission to you to make them?—I think it most unfair, especially when the very grave injury and loss which this conflict between the Colonial Office and the colony has inflicted upon the colony of British Guiana is considered.

2050. What loss do you refer to?—The loss of revenue, owing to the stoppage of the supplies; and the loss of immigration, owing to the directions which the Colonial Office have sent out to prevent any more immigrants being sent to Guiana.

2051. Mr. *Hawes.*] To what directions do you refer?—I read the other day the account of a vessel, named I think the St. Abbs, having been to St. Helena to ship emigrants, and that her captain was informed on his arrival at St. Helena that directions had been sent out from the Colonial Office not to send any more to Demerara; but that if he would take them to any other of Her Majesty's colonies, he might have them.

2052. Are those the directions to which you refer?—They are.

2053. Do you refer to any other directions than those?—No.

2054. Sir *J. Hogg.*] Is the civil list fixed for Jamaica and for Trinidad for any specified period, as it is in the colony of Guiana?—I cannot say.

2055. You do not know whether the civil list has been granted for a fixed period, or whether it is granted annually?—I do not.

2056. Mr. *Hume.*] Might not that loss to the colony to which you allude have been prevented, as on a former occasion it was prevented, when the difference took

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place between the colonists and the Governor?—Mr. Sandbach has given evidence upon that point; he is better acquainted with the details of the colonial legislature than I am. It appears to me that the suggestion which Governor Light makes in one of his despatches might have been adopted, viz. that the colonial legislature might have been suspended by an Order in Council, if they were so decidedly in the wrong.

2057. Will you explain how the loss arises?—The loss arises in this way: the Combined Court being adjourned *sine die*, the supplies are not voted, the tax ordinance expires, and large quantities of goods are imported without paying the duties which they otherwise would have paid. Governor Light has stated the loss to Guiana to have been 400,000 dollars in four months, I think.

2058. Mr. *Villiers.*] In what way could the loss have been avoided?—It might have been avoided either by accepting the offer of the colonists to prolong the tax ordinance for six weeks, at the end of which time they said, if that was not long enough they would consent to renew it for another six weeks, till the ultimatum of the Home Government was known; or it might have been obviated by an Order in Council, suspending the legislature of the colony; at least so Governor Light suggests in one of his despatches.

2059. Could not the merchants have given bond for the payment of the duties upon the goods imported?—I believe that might have been done, but Mr. Sandbach has spoken to that.

2060. It was done before, was not it?—So he states.

2061. *Chairman.*] Do you coincide with Sir Henry Light as to the present condition of the employers of labour in Guiana?—I coincide entirely in what he states in his later despatches, that they are in as low a condition as they can possibly be. The documents before the Committee sufficiently prove that, showing as they do the small sums for which estates are sold; and also the statements of Governor Light and Governor Walker, of the number of estates which are being thrown up.

2062. It has been stated to the Committee that the present mode of taxation does not press upon the distressed classes; Sir Henry Light informed the Committee, I think, that the taxation was so equally diffused over the population that nobody felt it; do you agree in that opinion?—I do not. I think, as the only exports from Guiana to any amount are sugar and rum, it is very clear that the chief burthen of taxation must fall upon the manufacturers of those articles.

2063. Mr. *Hume.*] Are there not proceedings of the Court of Policy of the 10th of April 1848, in which a protest is entered, and means pointed out by which the loss to which you have alluded might have been prevented?—I find the Honourable Mr. Rose gave in for insertion upon the minutes the following declaration, signed by all the elective members then present: "The distressed and utterly prostrate condition of the colony having rendered it necessary for us to decline being parties to voting the estimate for the financial year 1848–49, for the reasons stated in the resolutions submitted to the court this day, we now declare our willingness to renew the present tax ordinance for a limited period. We deem it necessary to place this declaration on record, for the following reasons: 1st. To prevent any loss accruing to the revenues of the colony by the expiration of the tax ordinance, as occurred in the year 1843. 2d. To afford Her Majesty's Government sufficient time to reconsider their measures, with the view of affording relief to the colony. (signed) Peter Rose. James Stuart. J. T. White. Thomas Porter, junior."

2064. Mr. *Hawes.*] On what date did the supplies finally cease?—On the 30th of September of the same year.

2065. *Chairman.*] Do you think the colonists were justified in endeavouring to reduce the amount of the expenditure?—I think they were. I think it was imperative upon them to do it, considering the distressed position in which they found themselves.

2066. Do you think they could have done so, so successfully, if the civil list had been maintained intact?—I do not see how any Governor could have given his support to a reduction of the salaries of officers receiving smaller salaries than his own, retaining his own intact. At the present moment, if Mr. Barkly has gone out there with the intention that his own salary shall remain intact, I do not see with what face he can turn round upon the other officers who may be receiving smaller salaries, and say, Your salary is too much; you must give

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up part of your salary, but I shall retain mine. I think the moral effect of that would be to cause great discontent throughout the colony. It would be just the same as if we had reduced the wages of the labourers, and not reduced the wages of the overseers and managers of our estates; whereas we reduced the wages of the overseers and managers first, and then attempted to reduce the wages of the labourers.

2067. Will you turn to the despatch of Lord Grey's, at page 182 of the Papers relative to Guiana; does he state there that if any one of the offices included in the civil list should become vacant, he would have no objection that a reasonable reduction of the salary should be made thereon?—I see he states, "If the measure be designed to enforce compliance with a demand for the reduction of the salaries granted to public servants by the civil list ordinance, it is equally unreasonable. I conceive the faith of the Crown and of the colony to be pledged to the public servants for the maintenance of the salaries granted by that ordinance for the period for which it is in force, nor would anything short of an absolute inability to redeem the pledge justify their reduction. But no such necessity exists. Governor Light has shown that the expenditure thus sanctioned amounts to only one-seventh of the whole expenditure of the colony, the Combined Court having complete control over the other six-sevenths, and that the revenue is rather increasing than falling off, and is derived from taxes which press little upon the planters. This proves that there was no occasion for any such measure as that which was pressed upon me; a measure to which, anxious as I am that the strictest economy should be observed in the expenditure of the colonial revenues, I felt it my duty, for the reasons I have stated, to object; at the same time, if any of the offices paid from the civil list should become vacant, I should approve of any proper and practical reductions which can be made in the salaries attached to them."

2068. Will you turn to page 185. Does he state in a despatch upon that page that he considers that a salary of 5,000 *l.* a year for "the Governor is not more than sufficient to secure the services of a person of the station and experience which so important an office demands"?—He says, "I still entertain the readiness I have already expressed to consider any proposal for the reduction of the emoluments of the offices included in the civil list on vacancies occurring, nor would it be difficult for the Combined Court to bring any such proposed reduction under the consideration of Her Majesty's Government; for instance, if instead of proceeding to reduce the amount voted by the deduction which they assumed might be made from the Governor's salary, the civil list had been provided for as usual, and an address at the same time voted to Her Majesty, pointing out the grounds on which such a reduction is deemed to be advisable, the suggestion would have met with the immediate attention of Her Majesty's Government; and though my present impression is that the finances of the colony are not in a condition to render such a reduction necessary, and that having regard to the great expense of living in Guiana, and to the disadvantages of its climate, the salary enjoyed heretofore by the Governor is not more than sufficient to secure the services of a person of the station and experience which so important an office demands, the reasons which might have been adduced in favour of a different conclusion would have received the most careful consideration."

2069. Do you think by adopting the suggestion of Lord Grey, the colonists of Guiana would have had a better chance of obtaining their object; that is, the reduction of the salaries upon the civil list?—Lord Grey having expressed his opinion that the sum of 5,000 *l.* was the exact sum which was proper to be paid to the Governor of Guiana, I think if they had moved the address proposed, they could not have expected that any other answer would have been returned to such an address than he has already given them here, that it was the proper sum to be paid. All the reasons in favour of reduction which they could have alleged they had alleged.

2070. Will you turn to page 182. Does Lord Grey there state, that "in representative systems of government, the last resource provided by the constitution for enforcing attention to the wishes of the representative classes is the stoppage of the supplies"?—He says in the despatch of June 17, 1848, "Had there been any indisposition on the part of Her Majesty's Government to sanction well-disposed legislation on these subjects, a stoppage of the supplies, though an extreme measure in any case, might have been defended as being, in representative systems of government, the last resource provided by the constitution for

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enforcing attention to the wishes of the represented classes. But bearing in mind that I have repeatedly expressed my earnest desire to co-operate with the colonists in establishing laws as effective as possible for checking disorder and stimulating the industry of the labouring classes, I am altogether unable to see how a refusal of the ordinary supplies can have any other effect than that of retarding the accomplishment of the desired legislative reform, by interfering with the whole current of public business."

2071. Do you conceive that a bad feeling exists between the colonists of Guiana and the executive in the colony?—I think, probably, Governor Light is a better judge of that than I am. He has stated that both the whites and the negroes were very much dissatisfied with him when he came away. It will be found in his despatches, I think, that he was very unpopular with both classes.

2072. Do you think there is a bad feeling with respect to the Government at home?—I think that everybody connected with the West Indies is more or less dissatisfied with the way in which their cause has been dealt with by the Colonial Office.

2073. Are you aware of what took place in the Houses of Parliament here, and in the Court of Policy in Guiana, respecting the statement made by Lord Grey as to the strike in Guiana in 1847 and 1848?—I had the honour of hearing the debate in the House of Lords upon that occasion, and I have read the debate which ensued upon certain misrepresentations made by Lord Grey with regard to the strike which was in existence at the time, which occurred in the Court of Policy in Guiana. I see the debate in the Court of Policy in Guiana was on the 21st of March 1848.

2074. Will you read the extract from the speech of Lord Grey upon which this discussion took place?—It was on the 7th of February 1848; Lord Grey alluded to the strike in these words: "He had also seen it stated in the local newspapers that on the east coast of Demerara, where a contemplated reduction of 25 per cent. in wages had taken place, it had been met cheerfully and in perfect good humour by the negroes, who would submit to the reduction of wages when they saw it was necessary, but who, when they saw the planters anxiously competing for their labour, would endeavour to get the last farthing they could obtain. The consequence of that reduction was, that at once and without the expense of immigration the colony obtained the advantage of an increase of one-fourth to its working population. If that were the case, would any man tell him that the system of protection was to the advantage of the planter? He (Earl Grey) held, on the contrary, that if protection were admissible on the grounds of the general interests of the country, it would be for the interests of the planter himself that we should adhere to the wise determination which Parliament came to in 1846." That is an extract from Hansard's Parliamentary Debates, volume 96 of the third series, page 198.

2075. That speech was made on the 7th of February 1848?—It was.

2076. Can you state any facts which may tend to elucidate that matter?—A week before the debates on the Sugar question in February 1848, two packets arrived within two or three days of each other from the West Indies. The latest of those two packets brought a letter from Governor Light to Earl Grey, dated 31st of December 1847, and received on the 3d of Februaury 1848, four days before his Lordship made that speech in the House of Lords. The despatch states, "My knowledge of the very critical position of the planter interest of the colony made me readily adopt the suggestions of the unofficial members of the Court of Policy to instruct the stipendiary magistrates by private communication to exert themselves amongst the labourers of their respective districts, in order to induce a consent to a reduction of wages, or at all events to lower their pretensions to heavy payments for the ordinary labour of the estates. In August and September 1838, when I visited the different districts of the province, I endeavoured to impress on the minds of the labourers, in opposition to their ideas of emancipation, that their sole property consisted in the industry of their hands; if they asked too much for their hands, which they were very much inclined to do, the planters would close their sugar works and abandon their cultivation. As affairs now stand, one-half the sugar estates will be unable to carry on the cultivation unless the price of labour is reduced, and the labourers will learn the truth of my doctrine. I allowed and approved of Mr. Walker's letter to the magistrates, and respectfully submit it for your Lordship's approbation." The enclosure

enclosure in this, is an address to the labourers written by Mr. Walker, the government secretary, exhorting them to accept lower wages and to go to work.

2077. Mr. *Hume.*] How do you identify that with the strike to which allusion has been made?—In an answer which Governor Light gave to this Committee, he states that at the end of 1847 and at the beginning of 1848, the labourers in Guiana did no work. He wrote in his despatch of the 31st December 1847, to say that, "as affairs stand, one-half of the sugar estates will be unable to carry on cultivation unless the price of labour is reduced." That evidently refers to some previous despatches which had arrived by previous packets, on the same subject, which we have not.

2078. Are the Committee to understand you to say that that despatch of the 31st of December, announcing the critical state of affairs with regard to labour, was in the possession of Earl Grey at the time he made those statements which you have now read from Hansard?—If the Committee will look at the date, they will see that it was received on the 3d of February 1848, and that Lord Grey made a contrary statement in the House of Lords on the 7th of February 1848.

2079. Mr. *Villiers.*] In the despatch he says the sugar estates would be thrown out of cultivation if the labourers did not consent to a reduction of wages?—Yes.

2080. I take Lord Grey's statement to have been, that they had consented to a reduction of wages. There is no inconsistency in that, is there?—If you will look at only the next page, 451, four days after Lord Grey's speech, he writes thus in acknowledgment of Governor Light's despatch: "I have to acknowledge the receipt of your despatch of the 31st December, No. 224, transmitting a copy of a letter which, with your sanction, Mr. Walker, the colonial secretary, had addressed to the stipendiary magistrates, directing them to exert themselves in order to induce the labourers to consent to a reduction of their wages. I have to express my approval of this circular. The subject to which it relates is one of the deepest importance to the landed proprietors of the colony, and you will not fail to keep me fully informed of the results to which it may lead." The newspaper from which Lord Grey quoted came over in the same packet as those despatches. It was not very likely, if a sudden change had taken place in two days, that Governor Light would not have acquainted his Lordship with it.

2081. Mr. *Hume.*] Are the Committee to understand you to say that Lord Grey had official information from the Governor of Demerara at that time, stating that the labourers had not consented to the reduction of wages?—Those two despatches are now before the Committee; they can judge for themselves whether Lord Grey was justified in making that statement.

2082. Mr. *Villiers.*] The Governor stated that every exertion was being made at that time to induce labourers to accept lower wages; the newspaper arrived, as I understand you, two days later than that in which it is said that the labourers had consented to accept a reduction of 25 per cent.?—I did not say that the newspaper was two days later. There was a despatch also received by the Colonial Office two days later than that of the 31st December 1847, which is printed in the Blue Book on West Indian Affairs, presented to the Lords in 1848, p. 451; but in that despatch, which is dated 1st of January, there is not one single word allusive to the strike.

2083. *Chairman.*] What is the next despatch with reference to this subject which was received at the Colonial Office?—The next despatch was received on the 25th of February 1848, from Governor Light to Earl Grey: "The end of the year closed the manufacture of sugar and employment of creoles who held out against any diminution of wages; and to this moment whatever is done, and very little is doing, is performed by the Portuguese and coolies, who are, however, often driven from the field by the creoles. It is in vain that the ministers of religion tell the creoles that the planters are reduced to such a state by the low prices as not to be able to afford, without absolute ruin to themselves, the same rate of wages as before; they stubbornly refuse to work at any reduction of price. Within one fortnight three fires, incendiary, have occurred, a return of which I annex."

2084. Does not that prove that Lord Grey could not have received any despatch from Governor Light saying that the labourers had resumed their work?—Lord Grey said he had read it in a newspaper; he did not say he had received any despatch from Governor Light. I think we are not in possession of any despatches which had arrived during the months of November and December preceding, except that of the 31st December 1847. There must have been despatches

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received at the Colonial Office, written in those months, which probably would throw very great light upon this subject.

2085. Will you now state what took place in the Court of Policy with reference to this subject?—Mr. Rose, in addressing the court on the 21st of March 1848, said, "I do not wish to take up the time of the court, but before I resume my seat I beg to say, and I believe the other members of the elective section will bear me out, that we have no desire to do anything that would embarrass your Excellency. We are compelled by dire necessity to adopt a line of conduct which we should be glad under other circumstances to forego. It would afford us great satisfaction to be enabled to raise the supplies. We are convinced that your Excellency has laid before the Government a true statement of the condition of the colony. and that if they had listened or paid any attention to the despatches which you furnished —if they had not been deaf to reason and justice, things would have been otherwise; but what are the statements which Earl Grey makes in the House of Lords? He tells them that great reductions have taken place in the wages of the labourers, and he quotes an article in the 'Royal Gazette,' in confirmation perhaps of what your Excellency wished should take place. He quotes an article from the Gazette which, according to his version, states that a reduction of 25 per cent. has absolutely taken place in the wages of the labourers, and that they are working cheerfully. 'Governor: I did not make that statement.' 'Mr. Rose: No; I say that your Excellency's statements, so far as his Lordship has given them, are perfectly correct and satisfactory; but by way of supporting his views he read an article, which he said he found in a local paper, containing a statement that the labourers were working cheerfully at a reduced rate of wages by 25 per cent., which, in his opinion, was at least equal to so many additional labourers. I wish his Lordship better information in future.'"

2086. Mr. *Hume.*] Are the Committee to understand that it was admitted that the "Royal Gazette" was the paper in which that statement existed?—I presume it was, by Mr. Rose quoting it.

2087. Is the "Royal Gazette" the medium of publication by Government in the colony?—The "Royal Gazette" has the government contract for printing, and is considered the government organ.

2088. Mr. *Hawes.*] It is the organ of the Government in the colony?—Yes.

2089. Do you think the speeches of Her Majesty's Ministers, in February 1848, engendered any bad feeling in the minds of the colonists, as connected with the proceedings in this country?—I think there is no doubt of it. Any person who reads the West India newspapers will see that the colonists were very much surprised and irritated at various misrepresentations which had been made, and more especially when they perceived that the real state of the various colonies, as described by the respective Governors in their despatches, was not alluded to at all. I allude to the despatches of Lord Harris, for example.

2090. Have you seen the printed list of the salaries of public officers in British Guiana?—I have a written one, which I obtained from the Colonial Office.

2091. And which was readily furnished to you upon your application?—Perfectly so.

2092. *Chairman.*] Do you agree with Sir Henry Light that no reduction ought to take place in any of those salaries?—Most decidedly not. I do not think that any one who looks them over can say for a moment that they are at all proportioned one to the other, or that good men could not be obtained to perform the duties for smaller salaries. When I see the class of men whom we employ as our managers, and the class of men who fill a great many of those public offices who are paid three, four, or five times as much, I have no hesitation in saying that our managers are generally much more respectable and better men.

2093. Have you any reason to suppose that any of them might be dispensed with altogether?—Mr. Barkly has gone out there as Governor; I know him to be a very able and discreet man, and I therefore think I have no business to give any opinion upon that subject; for I am quite sure if he is instructed, he will do his best to make what reductions are proper. This is not quite the same list as the one which was furnished to me; I see some of the fees of the public officers are omitted. For instance, the provost marshal gets 214*l.* 0*s.* 6*d.*, "no fixed salary, fees as per Blue Book for 1847;" and I see the immigration agent is put down at 500*l.* per annum, but I know that in 1847 he got 901*l.* in fees besides.

2094. Mr. *Villiers.*] Would the sanction of the Government be required for the

the reduction of those salaries?—Only with respect to those on the civil list; I fancy the Combined Court could reduce those which are not on the civil list.

2095. Which you think ought to be reduced?—I think they all ought to be reduced.

2096. *Chairman.*] Are you aware Sir Henry Light stated that the patronage of all those officers was at his disposal, except the collector of rum duties and the Judges?—He said they were all at his disposal except the collector of rum duties. That is to say, that he could recommend to them.

2097. Subject to the approval of the Colonial Office?—Yes.

2098. Does that confer very great influence upon the Governor?—I think the amount of the salaries within his gift, at that rate, would be between 50,000*l.* and 60,000*l.* a year. Not only does the command of all those offices give him a great hold over the public servants, but all the expectants of office and of promotion are entirely at the disposal of the Governor: if any of them were to go against the Governor in any way, particularly if he happens to be a hasty or unjust person, they could not hope either for promotion or appointment to any public office.

2099. By whom do the colonists suppose they are governed?—Sir Henry Light stated that he had served under six Colonial Ministers in ten years, and had given satisfaction to them all; that gives a tenure of office of eighteen months to each Colonial Minister. We cannot suppose that in 18 months a statesman can become acquainted with all the details of all the various colonies. We suppose therefore that there is some person or persons in the Colonial Office who manage our affairs, but the colonists can never know who they are. It is a sort of anonymous and irresponsible government, which is exceedingly irritating to us, because we see that interests are very often not understood, and we do not know to whom to give information, nor from whom to appeal

2100-1. Mr. *Hume.*] Are the Committee to understand from you that an idea exists in the colony that the Colonial Minister is not sufficiently acquainted with the real state of the colony?—I think it does. We have 44 or 45 colonies, and it appears to me to be utterly impossible that in 18 months a gentleman, however talented he may be, coming into the Colonial Office, can render himself competent to decide on questions of detail concerning the affairs of those colonies.

2102. *Chairman.*] Are you in a position to show the Committee that any kind of impediments have been thrown in the way of proper contracts for labour, or proper laws for the regulation of the labourers, either by Sir Henry Light or the Colonial Office?—I think I have only to refer to the despatch in answer to Lord Stanley's despatch of 1843, enclosing a circular empowering the colonies to enact vagrant laws and labour laws, to prove that as far as Guiana is concerned the Governor set his face against any such laws being enacted.

2103. Have not a great number of immigrants been imported into Guiana since 1834?—Sir Charles Wood stated in his speech last year that 40,000 had been imported.

2104. Mr. *Hawes.*] Am I to understand you to say that immigrants only to the amount of 40,000 have been imported since 1834?—The number is stated in the return to be 41,741, to 1847.

2105. *Chairman.*] Governor Light states the number of agricultural labourers in Guiana at present not to exceed 25,000; do you think, from the quantity of sugar produced, that is likely to be an accurate calculation?—Taking the crop of last year at 47,000 hogsheads, I suppose it would take 25,000 or 30,000 labourers to produce it.

2106. Then you think it an accurate calculation?—The numbers probably may be between 25,000 and 30,000.

2107. How have the remainder of the population been disposed of?—A great many have purchased land and live upon it; a good many of the Portuguese died, and a good many of the coolies have died; they wandered about the colony; I should think a vast number have died, but I have no means of stating the exact number.

2108. Has not Lord Grey expressed his willingness to enact laws to regulate labour?—In a despatch from Lord Grey to Governor Light, dated Downing-street, 23d of May 1848, Lord Grey says: "I cannot hesitate to express my opinion that it is for the true interest of the labourers of Guiana that the necessity of increased exertion should be thus imposed upon them, and that they should be subjected to a much stricter discipline than has existed since the abolition of slavery,

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slavery, provided only that that discipline is enforced by an impartial authority; I believe this to be absolutely necessary in order gradually to raise in the scale of civilization a population of whom the great majority have been so lately, or are still, in a state of barbarism; and the more especially so as, unless by some such means regular industry can be enforced, it is obvious that the cultivation of sugar cannot long be continued in the colony, which, if this cannot be maintained, must soon be abandoned by most of its inhabitants of European descent, whose assistance and example are so indispensable for the improvement of the negro race."

2109. Do not you think that that is very satisfactory to the planters?—I think it might have been very satisfactory to us. That despatch going out to the colonists would lead them to suppose, that if they enacted such laws as they thought necessary and as Lord Stanley's circular had suggested, for the purpose of arranging labour, they would have been approved of; but on the 23d of June Mr. Hawes made this speech in the House of Commons: "The Secretary of State for the Colonies did not wish to interfere with them; he only wished to see them legislating wisely and judiciously for their own advantage. But when it was complained that the Acts which had been passed in years past by the Colonial Legislatures, with regard to the regulation of labour, had been disallowed, he begged of honourable Members to bear in mind that that disallowance was to be justified by every consideration of humanity and justice, and upon grounds which would be sanctioned by that House and by the people of England. It surely could not have escaped the remembrance of the House that most discreditable and disgraceful attempts were made at that time in the colonies to reduce the newly emancipated slave again to the condition of serfdom, and to re-acquire that power by law which they had been deprived of by the Act of emancipation. The loss of the lash was to be made up by the severity and subtlety of the law. He looked back with sorrow to what had occurred in the colonies between 1834 and 1840; and his only consolation was the reflection that he believed such things could not occur again. Nothing could exceed the severity of the laws which were at that time passed to the prejudice of the labourers. In St. Vincent an Act was passed, whereby it was provided that a servant who had committed any miscarriage, or had at all misconducted himself, should be committed by the magistrates to the treadmill for an indefinite period. In Barbadoes an Act was passed, whereby persons who were found quarrelling in the streets after 10 o'clock were brought before the magistrates, and visited with exemplary punishment. Trespassing on the land of any plantation, and any petty chapman wandering abroad, and not duly licensed, were liable to penalties. (Mr. D'Israeli: It was simply the Vagrant Act of England.) He had always heard that many distinguished men had urged grave objections against many of the provisions of the English Vagrancy Act; but it should be remembered that what rendered the case one of peculiar injustice was, that the men who enacted those laws, and who administered them, were themselves planters, and interested in the strict enforcement of the law. A similar state of things existed at Montserrat. The Acts in existence there imposed hard labour for a month for any misdemeanor, under which term were included unreasonable absence from business, wilful neglect of duty, carlessness in the use of fire, &c. The fact was, that if we looked at the whole of the colonial legislation we should find that its tendency was to place the labouring population in the hands of the justices; the persons and liberties of the labouring population under their control; a state of things most objectionable." I think it would have been hopeless for the Colonial Legislatures to have proceeded to act upon Earl Grey's despatch, when they saw that the Under Secretary of State made such a speech as that in the House of Commons. I have here a police report which a West Indian sent me upon reading that speech; it appears that a waiter at a inn in the City of London left his work in the middle of the week. "The Lord Mayor asked whether the defendant could give any rational excuse for leaving his work. The prisoner said he had left the service of the prosecutor because he had been overworked. The Lord Mayor: If such conduct be permitted there can be no security for the performance of work at all. The Defendant: There is no written agreement at all. The Lord Mayor: That does not at all signify; by the Act of Parliament a written contract is not necessary. You are a weekly servant, and had no right to go away before the conclusion of the week; I can imprison you for any period not exceeding three months. It is the wish of your master that the conviction should be a mere formal conviction, and I therefore commit you to hard

hard labour to prison for seven days." I do not think the colonists can set to work to legislate with any degree of zeal, or hope that their Acts will be allowed when they are sent home to the Colonial Office, when such contradictory opinions as those emanate from the two statesmen who are at the head of it.

2110. Mr. *Hume.*] Was any attempt made in the colony to legislate in consequence of that letter?—I do not believe any attempt has yet been made, but I speak under correction.

2111. You alluded to Lord Stanley's circular of 1843, for the regulation of labour; he recommended, did not he, the colonists to enact some such laws; were any attempts to do so, to your knowledge, made?—They were certainly not made up to 1846, because Sir Henry Light stated that he was adverse to their being made.

2112. *Chairman.*] Do you know whether they have been made since?—I do not; I believe not.

2113. Mr. *Hume.*] Lord Stanley's instructions with regard to Guiana were not carried out?—I have here Lord Stanley's circular, and Governor Light's answer to it. It is "A circular despatch addressed to the Governors of the West India colonies possessing legislative assemblies, except Jamaica, dated Downing-street, 21st of June 1843."

2114. Did that include Guiana?—I see it is forwarded to Guiana, so I suppose that it did. "In the 13th resolution of the Select Committee of the House of Commons, on the state of the West India colonies (passed 25th July 1842), the question is suggested whether it would not be expedient that 'the laws which regulate the relations between employers and labourers in the different colonies should undergo early and careful revision by their respective legislatures.' With reference to this resolution, some of the principal merchants and planters, connected with the Crown colonies in the West Indies, have applied to Her Majesty's Government for authority to be given to the Legislative Councils of those colonies to amend the laws as enacted by the Orders of Her Majesty in Council, of the 7th of September and 6th of October 1838, on the subject of the rights and duties of masters and servants, the suppression of vagrancy, and the prevention of encroachments on lands; and an Order has been issued by Her Majesty in Council, granting this authority accordingly. I have not been apprised that there is any desire entertained by the Legislatures of the colonies having legislative assemblies, to act upon the suggestion of the Committee; but as Acts have been passed by some of those Legislatures from time to time, which have been objected to by Her Majesty's Government as opposed to the views which dictated the Orders in Council of the 7th of September and 6th of October 1838, I think it right to state, that in granting authority to the Legislative Councils of the Crown colonies to amend those orders, Her Majesty's Government is, of course, prepared to admit the extension, to all the colonies where the circumstances affecting the administration and effect of the laws are similar, of any provisions of law on the subjects in question which may be adopted by the Legislative Councils in the Crown colonies, and having been so adopted, may be approved and confirmed by Her Majesty in Council. I make this communication to you, in order that in the event of new Acts being passed on these subjects, which may re-enact provisions of Acts formerly disallowed by Her Majesty in Council, you may not be embarrassed by the clause of the Royal instructions forbidding you to give your assent to such re-enactments without Her Majesty's permission previously obtained." That is the circular. Then there is a despatch from Lord Stanley to Governor Light, sending the draft of an ordinance proposed by the Committee of West Indian Merchants and Planters, saying he has underlined certain passages which he objects to, and he says, "With this explanation I should see no objection, as at present advised, to these drafts being taken into consideration by the Court of Policy of British Guiana, with a view to found laws upon them; and in accordance with what I understand to be the wish of the West India merchants and planters, I request you to confer personally on the subject with such members of the Court of Policy as you may consider best able to judge of the dispositions of that body, and to ascertain whether it is desirable that such laws should be enacted."

2115. What is the date of that despatch?—The 31st of July 1843.

2116. *Chairman.*] Does the draft presented by the West India merchants to the Colonial Office, of a fit and proper vagrant law, accompany it?—Yes. Here is a despatch from Governor Light to Lord Stanley, the 9th of August 1843.

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He says: "I trust the good sense of the unofficial members of the Court of Policy will prevent their attempting to risk interference in this tranquil and satisfactory state of the mutual relations of the mass and their employers." That is in British Guiana. This was about six months after the strike of 1842, upon which Mr. Sandbach gave evidence. "The loyalty and affection of the black population are now undoubted; they know that the protecting hand of Her Majesty's servants has shielded them from every attempt at oppression. Remove that protection by handing them over to the local justices, their former masters, they will lose confidence where they now give it. The negro is disposed to suspicion; nothing but personal assurance to the numerous deputations appealing to me, in the strike of the early part of the last year, that Her Majesty's Government had no part in the combination of the planters, satisfied them. No act of violence ensued during six weeks of almost absolute cessation of labour, and in no instance was there any extraordinary display of force to settle disorders arising from threats against those who chose to labour. My mediation was sometimes sought, tranquillity throughout the province was preserved, the dispute terminated, planters and labourers came to terms, and the happiest results have ensued. I would not risk a change by restrictive laws, which, in my opinion, are not wanted."

2117. Mr. *Hume.*] Is Governor Light correct in saying that the justices there were the former masters?—Lord Stanley, in his circular, proposed that the stipendiary magistrates should be gradually done away with, and that the administration of the law should be placed in the hands of the local justices.

2118. Mr. *Villiers.*] What you have just read is before Lord Stanley's circular, is not it?—No; it is a despatch in answer to Lord Stanley's circular, saying there is no occasion for it.

2119. After the strike?—There had been a strike in 1842, and the negroes were very happy in having gained their point, and successfully resisted a reduction of wages. Governor Light then wrote to say that the relations between master and servant were perfectly satisfactory, and that he deprecated all legislative interference on that score as unnecessary.

2120. Mr. *Hume.*] How was that strike of 1842 amicably settled?—It was amicably settled by the planters giving way; the Governor threw his influence on the side of the labourers, and the planters gave way. Governor Light goes on to say, "If the restrictive laws contemplated by the West India proprietors are to secure or force labour, they will be mistaken; the negro has too many resources against enactments by the Legislature."

2121. Sir *J. Hogg.*] It appears by that despatch that Governor Light did not think that legislation was necessary?—It does.

2122. Did any of the gentlemen of the elective section of the Court of Policy attempt to introduce any acts or ordinances founded upon the suggestion of Lord Stanley?—I can only refer the Honourable Member to the passage I quoted before, of a memorandum dated the 1st of January 1847, drawn up by Mr. Arrindell, the acting Attorney-general of Guiana, in which he states, referring to a vagrant law which it was proposed to pass in the year 1846: "It was introduced into the Court of Policy as far back as 1843, and was founded on or borrowed from the Jamaica Act on the same subject. From the year 1843 to the time of its being passed, it was constantly referred to by one or other of the members of the Court of Policy, who urged your Excellency to instruct the Attorney-general for the time being to carry the Bill through the Court; various causes delayed the Bill being passed into an ordinance, but none of these causes sounded in an objection to the Bill itself." Therefore it appears that they had been urging the Governor for three years to bring forward this law, which he did not do.

2123. Your knowledge of the fact is founded upon the extract which you have read?—It is.

2124. *Chairman.*] Do you conceive it would have been a great advantage to the employers and to the employed in the colony generally, if contracts for six months or a year had been introduced immediately upon the abolition of the apprenticeship?—There is no doubt it would have been to the advantage of the employers, because I think they would have got more regular labour; and I think it would have been to the advantage of the employed, because it would have trained them to habits of industry; they found themselves in 1838 cast loose without any laws at all: when I say without any laws at all, there were the

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Ordinances of 1838, but they were not enforced. To show the spirit in which the laws were enforced at that time, I have here, in an enclosure in a despatch from Governor Light to Lord John Russell, dated the 22d of December 1841, an epitome of the complaints to stipendiary magistrates in 1841. Here is a complaint preferred by the manager of an estate against an indentured hill-coolie labourer, charging him with eight days' absence from his master's service; it is disposed of in the following manner: "This being the fifth similar offence and complaint, having overlooked all the former ones to no purpose, the accused was sentenced to four days' imprisonment in the colonial gaol." That is for the fifth offence, having absented himself for eight days from his master's service.

2125. Was that by a stipendiary magistrate?—Yes.

2126. Mr. *Hume.*] Was the individual under any engagement for a week, or any particular period?—They call him an indentured hill-coolie labourer.

2127. Consequently he had broken that indenture five times?—Yes.

2128. And the sentence was only four days' imprisonment?—That was all.

2129. And in the case which you have stated to the Committee, of a waiter leaving his place in London in the middle of the week, he was sentenced to seven days' imprisonment with hard labour?—Yes; and the magistrate tells him that he has power to commit him for three months if he pleases.

2130. Are you able to state whether the colonists required any other laws for the regulation of labour than such as are in existence as vagrant laws in England?—I am not very well acquainted with the vagrant laws in England.

2131. *Chairman.*] You stated to the Committee that one of the stipendiary magistrates told you that he had private orders from the Governor not to imprison negroes?—That was when I first went to the colony. It was a magistrate of the name of Mure, who told me that the feeling of the Governor was against imprisonment, and that if I could not get the fines which he imposed upon my labourers he did not know how to collect them, and they therefore never were collected. I have here, if the Committee wish to see it, a provisional Act which has been recently passed, to regulate the relations between proprietors of landed estates and the rural population of free labourers in St. Croix.

2132. Do you think any evil effects have followed in the case of the imported immigrants, from the non-existence of contracts for labour?—Yes; I think when coolies were sent down to an estate, being free to leave it at the end of 28 days, they were often disappointed at not finding themselves as well off as they had expected, or they quarrelled with the managers about the different tools they were required to use. At the end of the first month a number of them would leave the estate, and being quite unacquainted with the language, the localities, and the habits of the colony, a vast number of them perished in consequence. I think that is proved by the fate of some coolies which were sent to Trinidad. When they arrived there, Lord Harris and Major Fagan drew up certain rules and regulations for their guidance, which rules and regulations were disallowed by Lord Grey.

2133. Were not they adopted by the Government?—They were adopted by the government of Trinidad and disallowed when sent home, and other rules and regulations were sent out by the Colonial Office to be put in force instead of them.

2134. Will you state the date of that circumstance?—The despatch in which Lord Harris encloses the book of regulations for Indian immigration to the colony of Trinidad is dated 30th July 1846. Earl Grey, on the 15th September 1846, in acknowledging the receipt of this despatch from Lord Harris, writes thus: "My Lord, I have to acknowledge the receipt of your despatch, No. 34, of the 30th July, transmitting a printed copy of certain rules and regulations respecting coolie immigration, drawn up by your Lordship with the assistance of Major Fagan. On referring to those rules, I find that they provide, among other things, for the erection of places of abode for the Indian immigrants; for the amount of their wages, food, and clothing; for the amount of their daily labour; for their repayment to their employers of lost time; for the medical attendance on them; for their non-employment by any new master without a certificate of discharge from their last employer; for preventing their wandering abroad, and for the uniform and regular payment of their wages. Even if I were satisfied of the wisdom and justice of the whole of these regulations, I should yet be compelled to deny their validity. They constitute in effect a law of great extent and importance, and the enactment of laws is manifestly not within the province of the executive government of Trinidad. The regulations so promulgated might

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be disobeyed with absolute impunity, and could not be enforced by any lega process. So far as they contemplate the security and benefit of the coolies, they are therefore ineffectual; and yet by affording a semblance of efficiency, may prevent the enactment by the proper authority of such laws as are really required for the purpose. But independently of their want of legal authority, there is much in the regulations themselves of which I cannot approve. To some of them I perceive grave objections, and more especially those numbered 8, 9, 11, 13, and 14. It is, however, sufficient for my immediate purpose to observe that the regulations must be withdrawn, as resting on no adequate authority."

2135. Mr. *Hume.*] Did I not understand you to say that a circular had been sent out before, authorizing them to make regulations of that kind?—I suppose the honourable Member alludes to Lord Stanley's circular. I should have imagined that would have included such a power.

2136. Mr. *Villiers.*] This was addressed to Lord Grey's predecessor, was not it?—Yes; Lord Grey had come into office in the meantime, and his Lordship answered it.

2137. Who was his predecessor?—Mr. Gladstone. On the 21st of October 1846, Lord Harris writes to Lord Grey, "I have the honour to acknowledge the receipt of your despatch No. 29, dated 15th September, in which your Lordship requires that the coolie regulations should be withdrawn, on the ground of their not possessing sufficient legal authority, In pursuance of your Lordship's directions, that has been done."

2138. Mr. *Hume.*] The regulations had been in operation till that period, had they not?—They had been in operation. I am now going to quote from a despatch from Lord Harris to Lord Grey, of the 21st of February 1848. It appears that in the meantime the other regulation had been sent out by the Colonial Office, and had been put in force. Lord Harris in alluding to this writes thus: "Your Lordship will remember that the withdrawal of some rules which I had established, respecting the management of the coolies, was required by a despatch dated 15th September 1846, and they were accordingly cancelled on the 17th of October following. The chief principle on which those rules were grounded was the keeping the coolies on the estates to which they were allowed by a system of leave-tickets and passes, and the ensuring a fulfilment of the agreement made on both sides by a just and constant surveillance by the coolie magistrate. Doubtless there were numerous faults in those rules; from the circumstances of the case they had been drawn up at very short notice, but all will allow who had the opportunity of judging, that during their operation the coolies were healthy, well clothed, generally contented, and improving daily in habits of industry. On the withdrawal of those rules they gradually returned to the habits which are natural to them; they left the estates, and were to be seen wandering about the country in bands, and by the time that the immigration ordinance came into force but few were remaining on the properties on which they had been originally located. I must now explain how the provisions of that ordinance did not serve to correct the evil. On entering into contract the coolies were liable, on breaking their engagement, to certain penalties. In order to enforce these it was necessary first that the delinquents should be caught, and then brought before a justice of the peace. Now the great difficulty is, in this country, to get such penalties to bear at all upon the delinquents. Your Lordship must remember that the sugar estates in this colony, comprising at the most an extent of 32,000 acres, are scattered over an area of 1,200,000, and that though in some districts they are closely packed, in others they are separated by extensive forests; and that even where the estates are adjoining one another, the roads are for some months in the year almost impassable for horsemen. A proprietor or manager, on finding that his coolies have left the estates, would, first of all, have to discover in what direction they had proceeded; no easy matter in a thinly populated country, and chiefly forest land. If he get information of their course, he must then either himself leave his estate, or send his overseer, by which loss is certain to accrue to him (for I can assure your Lordship, whatever you may hear to the contrary, that it requires strict, constant, and untiring watchfulness to procure the very sparing and very imperfect labour of the creole from him); and he may probably go, after all, in the wrong direction, and never fall in with the coolies; but if he do, then he has to lose more days in appearing at police offices, &c. The result has been, that I know of only one instance in which the proprietor has attempted to recover the coolies. The consequences of their re-adop-

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tion of their wandering habits have been most distressing. I was induced, from numbers being found destitute, sick, and starving in the roads, to establish two hospitals for their reception, one at Port of Spain and the other at San Fernando, both under the superintendence of the surgeon of the colonial hospital. The returns of the last eight months have shown an average of between 200 and 300 people to provide for, instead of 90, which had been the previous average. Since last June 250 coolies have died in the hospital, and great numbers in other places; in fact, scarcely a week passes but reports are sent from different parts of the country, of the skeletons of coolies being found in the woods and cane pieces. I believe that in no country has greater suffering been undergone than by these unfortunate people, in the shape of disease, starvation, and ultimate death; and to those who have had to witness it daily it has been most distressing. Such being the state of the contracts it was impossible to carry out the monthly tax provision. The principle of the law depended, I imagine, on the supposition that there would be a demand for all under contract; that not being the case, and the coolies declaring their willingness to enter into contract, they could hardly be forced to pay the tax. In addition, it would have been impossible to enforce it, in consequence of their inability to pay, for the wages of numbers have been in arrear for a long time, as much as three and four months. I have felt also the more anxious for the success of this law, because it did not emanate from myself. I have no doubt of the wisdom of the principle which your Lordship laid down, that we should seek 'to place them (the immigrants) in a situation in which they might be acted upon by the same motives by which men are impelled to labour in industrious countries.' Now I would, with all deference, submit that it is, from what I have already shown, impossible to place the immigrant in a situation similar to that of labourers in industrious countries, the circumstances of the countries, of the facilities for communication, for travelling, for justice, for police, being so very different. I have, moreover, great doubts whether the coolie and the African are morally or mentally capable of being acted upon by the same motives in this island, on their first arrival, as labourers are in more civilized countries. That one which urges the mere support of animal existence will not induce them to continuous and skilful labour, when their wants can be supplied by the most parsimonious use of their muscles. The fear of the law, it is manifest, is not very readily brought to bear on them. Luxuries they do not generally know of or require. The only independence which they would desire is idleness, according to their different tastes in the enjoyment of it. And then the higher motives which actuate the European labourer (and we must remember the vast difference there is, even in Europe, with respect to the industry of various races), which are above and beyond circumstances, irrespective of mere self-interest, which he has received as his patrimony from previous generations, and which I believe, even in this age, are still to be found prevailing amongst them; viz. that to be industrious is a duty and a virtue; that to be independent in circumstances, whatever his station, raises a man in the moral scale amongst his race; and that his ability to perform his duties as a citizen, and then we may add as a Christian, is increased by it."

2139. Are the Committee to understand the substance of that which you have now read to be, that under the regulations passed by the colonists of Trinidad themselves, the coolies had worked, and everything had gone on well; but that by their abrogation, and the enactment of those regulations sent out by Lord Grey, labour had been discontinued, and the lamentable results which you have stated had taken place?—That is the case.

2140. *Chairman.*] Do you consider it necessary, as well for the sake of the immigrants as of the employers, that they should, on their arrival, be assigned to certain estates, and located thereon by a contract for 12 months?—I think they ought to be located for at least that time, for their own sakes as well as for that of their employers. You would thus make the employer responsible for the health of the immigrant, and you could punish him if he did not attend to it properly. The immigrants used to be sent down to the estate, free to leave it at the end of the first month, when nothing more was known about them. They went off to other estates, and if they fell sick it was nobody's duty and nobody's interest to care for them.

2141. Did you ever suffer yourself from that circumstance?—I did, four or five years ago?—A few Portuguese were assigned to my estate; the small-pox broke out amongst them as soon as they arrived; several of them died; they

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nearly all had the disease; the manager took the best care of them he could, but as soon as they got well they left the estate, and I had merely the satisfaction of maintaining them for three months, paying for their food and medical attendance, and getting nothing in return.

2142. Are you of opinion that efficient labour and good vagrant laws would be of assistance in restoring order and prosperity to our West Indian Colonies?—I do not think order and prosperity can ever be restored without them. I think it is absolutely necessary that very speedy and stringent measures should be taken for the purpose of introducing them.

2143. As late as 1847 Sir Henry Light thought very highly of the prospects of British Guiana, did not he?—In a despatch from Sir Henry Light to Lord Grey, dated the 3d of March 1847, he proposed that money should be lent to the colonists to enable them to improve their drainage, and to introduce a better system of cultivation. He says, "I most earnestly recommend the subject to your Lordship's favourable consideration. I know the capabilities of this colony from north to south, from east to west; it will be a Peru to the mother country at no distant period, if helped in the way proposed."

2144. Mr. *Hume.*] That is in the despatch transmitting certain resolutions proposed by Mr. Rose, is not it?—It encloses some resolutions proposed by Mr. Rose, and seconded by Mr. Croal; the object of which is "to obtain for this colony the same support from the British Government which has been granted to the agricultural interests of the mother country."

2145. What is the first resolution?—The first resolution is, "Resolved that British Guiana still continues to suffer great agricultural and commercial distress, brought about chiefly by the circumstance that the colony has had, within the short period of the last eight years, to pass through the two most important eras in its history, namely, the crisis of emancipation, and that of the removal of protection."

2146. *Chairman.*] Do you consider that the tone of society and of morals in a colony is very much influenced by the character of the persons raised to public offices in the colony?—Undoubtedly it is; I think it is of the greatest importance that a proper selection should be made of such persons.

2147. If a Governor were indifferent upon that point, would not the evil remain long in the colony after he himself was removed?—The parties who are appointed to public situations, are appointed till death or pension; unless in cases of very flagrant misconduct they are fixed upon the colony for life.

2148. Do you think Sir Henry Light exercised care and discretion in the appointments which he made?—I do not think he did. Of course it is very difficult to prove particular cases, but I have the means here of showing that in one case he did not. That was in the appointment of the present solicitor-general, who is now acting attorney-general. In the same month that that gentleman was appointed solicitor-general of British Guiana, he was outlawed in England. He was an outlaw in England, and solicitor-general of British Guiana, for a considerable time. I have here the official record of his outlawry, which I obtained that there might be no doubt about it.

2149. What is the name of that gentleman?—Mr. Craig.

2150. Mr. *Hume.*] Is it stated for what he is outlawed?—For debt.

2151. Lord *Hotham.*] What was the date of that?—Mr. Craig's appointment is in the "London Gazette" of the 16th of January 1846. The writ of outlawry shows that he was proceeded against in June 1843 for a debt of 30*l.*, and judgment was then obtained against him. The paper also shows that he was proclaimed as an outlaw on the 5th of February 1846, the 5th of March 1846, and on the 2d of April 1846; the writ also shows that he had been proclaimed at two county courts previously to the 1st of January 1843; and here is the writ (*producing the same*).

2152. Mr. *Hume.*] Was he appointed while the outlawry was in force against him?—Yes.

2153. Did he proceed upon his appointment in 1846 to the colony?—He had been in the colony before; he went out there some time previously.

2154. How long had he been in the colony?—Two or three years.

2155. Practising?—Yes; his name will be seen to various documents.

2156. Did that appointment rest with Sir Henry Light?—Sir Henry Light says he recommends, and the Colonial Office confirms in such cases.

2157. Is

2157. Is there any power of attaching Mr. Craig in the colony for a debt incurred in England?—I am not aware.

2158. Mr. *Villiers.*] Do you know any of the circumstances of that debt, or the proceedings which led to the judgment?—None whatever; my attention was attracted to it by its being pointed out to me that a man was appointed solicitor-general of Guiana, and outlawed in the same month.

2159. Did the outlawry precede the appointment?—He was gazetted on the 16th of January 1846, and proclaimed an outlaw on the 5th of February 1846, the 5th of March 1846, and the 2d of April 1846.

2160. Before he left this country?—No, he had been in the colony for a couple of years previously.

2161. The debt was incurred in this country, was not it?—Yes.

2162. Judgment would be obtained against him if he did not appear?—I am not at all versed in such matters.

2163. Mr. *M'Cullagh.*] Are not you aware that a writ of outlawry may be sued out for default of appearance or pleading?—I cannot say; I think if the Colonial Office will make inquiry upon the subject, they will find that the appointment was not a very judicious one.

2164. Mr. *Hawes.*] You know nothing of the circumstances connected with the outlawry, do you?—I do not wish to state anything which I have not the means of proving; there is the writ, which I think is *primâ facie* a suspicious circumstance, and if inquiry be made I think that what I have stated will be confirmed.

2165. Do you know anything of the circumstances connected with the outlawry at all?—I know nothing that I can prove to the Committee.

2166. Do you or not know that it has been the subject of correspondence, and that Mr. Craig has explained the case to the Secretary of State?—I do not know that it has been the subject of correspondence.

2167. Sir *J. Hogg.*] When did Mr. Craig go to the colony?—I cannot tell the exact date; I think he had been in the colony for two or three years before he was appointed. The marshal of the colony, who will be examined after me, can give the Committee more information than I can upon that subject.

2168. Had he been in the colony as much as a year before 1846?—I think he had.

2169. Did you observe the commencement of the proceeding upon which the outlawry was founded?—No; I was informed that such was the case. I made inquiry, and I told a solicitor to get me some substantial document which I could place before the Committee; because, of course, it does not do to attack an officer upon hearsay evidence.

2170. *Chairman.*] Are you aware whether the administration of Sir Henry Light was generally approved of by Lord Grey?—In the Blue Book, p. 683, Earl Grey writes to Lieut.-governor Walker, "Sir, I have received and laid before the Queen, Governor Sir Henry Light's despatches, Nos. 93 and 94, of the 18th and 19th May, enclosing the addresses which he had received on the occasion of the termination of his administration of the government of British Guiana, from the British and Episcopalian clergy, the Wesleyan ministers, the mayor and town council of George Town, the Agricultural Society, and the Astronomical and Meteorological Society of the colony. It has been matter of much gratification to Her Majesty to learn from these addresses the just sense entertained by the important bodies from whom they proceed of the value of the services rendered to the colony by Sir Henry Light. I have Her Majesty's commands to state to you that Her Majesty has herself fully appreciated those services, and her sense of the invariable energy, ability, and clearness of purpose with which they have been rendered; and her approbation of the uprightness and integrity which have characterized Sir Henry Light's administration of the affairs of the colony have been testified by the rank of a Knight Commander of the Order of the Bath, which Her Majesty has been graciously pleased to confer upon Sir Henry Light."

2171. Mr. *Hawes.*] That letter alludes to addresses from several bodies in the colony, does not it?—It alludes to addresses from, I think, three small bodies in the colony. I observe that among the signatures to one of those aedresses the chief part are of persons holding official situations.

2172. Is not one of those addresses from the bishop and clergy in the colony?—The bishop and clergy are one, the Meteorological Society is another, and the Agricultural Society is the third.

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2173. Is not there also an address of the Wesleyan ministers?—Yes.

2174. There was no counter expression of feeling, was there?—I think a counter expression of feeling is detailed by Sir Henry Light himself. He says the feeling of the colony was very generally hostile to him.

2175. Was there or not any counter expression in any form from the body of planters, or any other?—They could not well have presented to him an address disapproving of him.

2176. Did they come to any resolutions at any public meeting?—I believe not.

2177. Then there was not any counter expression of opinion?—No.

2178. *Chairman.*] Did you ever hear of such a counter expression of opinion having been got up in any colony against a governor?—I am not aware that such a thing has ever been done.

2179. Lord *Hotham.*] At the commencement of the proceedings to-day you put in a paper in correction of a portion of your evidence the other day?—I did.

2180. Are you yourself cognizant of the matters stated in that paper?—No; they have been furnished to me by a person who is cognizant of them.

2181. Some one in London?—Yes; by a person in London who corresponds with a gentleman in Glasgow, who has an interest in the subject.

2182. Have you any objection to give the name of that gentleman?—No; it is Mr. Macgregor, the secretary to the West India Committee.

2183. You received that information from him?—Yes.

2184. And you have every reason, from your knowledge of him, to place reliance upon the statement he has made to you?—I have.

2185. Do those gentlemen whom you have described as the Governor's aides-de-camp, hold military commissions?—No; they are generally inhabitants of the colony. I think they hold militia commissions.

2186. And they perform duties analogous to the duties performed by aides-de-camp to general officers?—On gala days they do.

2187. Are they salaried officers?—No, I think not.

2188. On referring to this list of salaries of above 100*l.* a year, I see that the provost-marshal is Mr. W. H. Holmes; is that the same person who holds also the office of private secretary to the Governor?—It is the same person.

2189. Sir *J. Walmsley.*] You have a printed paper before you marked No. 1?—I have.

2190. It is a paper containing the salaries of the various officers in the colony?—Yes.

2191. Has your attention been called to that list as regards the amount of the salary received and the duties performed by each officer?—I cannot say that I have looked into each of them; I have looked over the list generally.

2192. You spoke to-day of the Governor's salary; what is your opinion as to the amount of the renumeration of the Governor?—Prior to 1841 the Governor's salary was 3,500*l.* a year. It was, in consequence of representations made by him of the extreme expense of living in the colony, increased on that occasion at the instance of Governor Light to 5,000*l.* a year. The colony is not such an expensive place to live in now, because everybody is pauperized, and I think it might very reasonably be reduced again to 3,500*l.* That is the sum which Lord Harris has in Trinidad, and he is as good a Governor as can be found in the West Indian colonies.

2193. You think 5,000*l.* a year is too large a salary for the Governor of British Guiana?—I think it is an exorbitant sum under the present circumstances.

2194. Is there any addition to that salary?—There is a house.

2195. What is the rent of that house?—£.600 a year.

2196. Is it a large house?—It is a good house for the colony.

2197. Is it a house you would give 600*l.* a year for?—No; I think they might get it much cheaper.

2198. From whom is the house rented?—It is rented from one of the public officers; I cannot say which. I think I have heard it is rented from the high-sheriff, but I only speak from hearsay.

2199. You think the rent paid is a very exorbitant one?—I think, in the present state of the colony, if the government did not pay it no one else would.

2200. Do you think it is double or treble what the house is worth?—I think it is double what the house is worth.

2201. Then in that respect the salary is 5,600 *l.*?—In addition to the salary of the Governor of Trinidad, he also has a house at the expense of the colony.

2202. I observe that the secretary to the Court of Policy receives 1,500 *l.* a year; what is your opinion as to the amount of that remuneration?—I think the best answer I can give to these questions is to show the reduction which the Financial Court wished to make had they been allowed to entertain the question of a reduction of the salaries.

2203. Those reductions are very considerable, are not they?—They are about 25 per cent.; I do not think they would generally reduce the salaries below what they were prior to 1841, though they may do so in some instances.

2204. Mr. *D'Israeli.*] Those salaries are not on the civil list, are they?—Yes; the Governor's salary and that of the secretary to the Financial Court are on the civil list.

2205. Mr. *Wilson.*] What are the duties of the registrar?—I do not know.

2206. Is there a salary attached to that office of 1,200 *l.* a year?—I see he has a salary of 1,200 *l.* a year attached to it. I cannot explain what all his duties are.

2207. Is that a sum, in your estimation, such as should be paid?—I think in the present state of the colony that might be very reasonably reduced. If you will compare those salaries with the salaries paid to the public officers in Trinidad, you will find they are very much larger indeed than the public officers receive in Trinidad. Lord Harris has proposed to reduce their salaries, and Lord Grey has assented to that proposition.

2208. Mr. *Hume.*] Your impression seems to be that the proposed reduction by the Court of Policy, which Lord Grey objected to, would not have brought them below what they were in 1841?—I do not think it would generally. They can be compared, if the Committee please. I have here what they proposed to reduce them to.

2209. Sir *J. Walmsley.*] Do you know what the duty of the master pilot is?—I think these questions can be better answered by some other witness than myself.

2210. Can you give the Committee any particulars as to the payments made to a person of the name of Sullivan?—I can. Mr. Sullivan's is rather a remarkable case. It appears that Mr. Sullivan held the office of secretary for the colony and receiver of the King's taxes for a period of nearly 30 years. The emoluments he derived amount to 90,378 *l.* 11 *s.* 6 *d.*; up to 1836 he held his office by warrant under the sign-manual of his most gracious Majesty George the Third, countersigned by Lord Hobart. He was never in the colony in his life. We are now paying him a pension of 600 *l.* a year, he having retired from the office of colonial secretary.

2211. *Chairman.*] He was appointed when a boy at school, was not he?—I was told that by comparing his age with the date of his appointment here, it would appear that he was appointed when a boy at school.

2212. Major *Blackall.*] When did his retiring allowance commence?—His retiring salary commenced in 1836.

2213. Sir *J. Hogg.*] You have stated that there was a feeling of dissatisfaction in the colony towards the local Governor and towards the Colonial Department, as having a bias injurious to the interests of the colonists?—I do not think I said there was such a feeling towards the present local Governor; as respects Governor Light, he has stated so himself.

2214. Is it your impression that in Guiana generally and other colonies there was a feeling of dissatisfaction, founded upon the impression that the general tendency of public feeling in England since emancipation was unduly hostile, or at least suspicious, towards the planters, and unduly favourable towards the labourers?—There is not a doubt of it.

2215. Major *Blackall.*] You have drawn a comparison between the payment of salaries to public officers in British Guiana and Trinidad; is there any difference in the expense of living between those two colonies?—If there is any difference in the expense of living it can be only occasioned by the import duties, because the circumstances of the two colonies are pretty nearly the same; they have both very rich land, and a great deal of it.

2216. Is the climate of one much worse than the climate of the other?—I do not think it is.

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2217. Sir *J. Walmsley.*] You stated that the colony had proposed a reduction of 25 per cent.; in casting your eyes over the paper before you, and from the knowledge you have of the duties, and so forth, do you find that there are many offices that could be materially reduced beyond 25 per cent.?—There is no doubt that they could; for instance, there is the sexton, who has been referred to before; he gets 1,500 *l.* I should think he did not earn that.

2218. For instance, the collector of the rum duties?—I cannot see why the rum duties should not be collected with the rest of the taxation.

2219. There is a weighmaster and sworn gauger, do you think that an exorbitant salary?—It struck me as a large salary; but I do not like to give a decided opinion upon it, because I think Governor Barkly, probably, will be instructed to send home some report upon the subject.

2220. Do you know anything of the duties of the superintendents of rivers and creeks?—I believe their duties are to prevent squatting on the sides of the rivers and creeks, and I should think their duties might very well be incorporated with the police.

2221. I see there is an annual allowance of upwards of 2,000 *l.* a year for those?—Yes.

2222. Do you think they might be dispensed with?—I think probably the best economy would be to incorporate them with the police.

2223. You think they are useful, but that their duties might be performed by some other officer?—I should imagine so; but I would rather not express any very decided opinion upon these matters.

2224. Are you aware of the amount paid for Church establishments in the colony of Guiana?—It is very large, I know.

2225. I find that for Demerara the amount is stated to be about 6,000 *l.* a year; for Essequibo, 2,500 *l.*; and for Berbice, 2,400 *l.*?—I am under the impression that the total is 17,933 *l.*, besides contributions from local sources; that is divided among the Pretestant Church, the Church of Scotland, the Roman-catholic Church, and the Church of Holland.

2226. What number of the population belong to those churches?—I suppose they are all included.

2227. Do you mean to say that the negro population belong to them?—I should say most of them do.

2228. You do not know the proportion?—No; there are also a good many missionaries also, and probably a considerable number attend upon their preaching.

2229. Mr. *Hume.*] Are you aware whether the reduction which is proposed is intended equally to extend to the Church establishments as to the civil establishments of the colony?—I believe so; I think it was intended to reduce them as well as the others. If the Committee will compare the rate of payment of the clergy in Guiana with the rate of payment in Trinidad they will find that they are remarkably well paid in Guiana.

2230. Sir *J. Walmsley.*] Have you made any calculation of the whole amount of the fees and salaries paid in the colony?—No, I have not.

2231. I think you will find it to be about 85,000 *l.* a year, exclusive of the fees stated in this list; the population is about 120,000, is not it?—It is.

2232. Do you think that expense a very large one?—I think it is; in Trinidad the revenue has been between 80,000 *l.* and 90,000 *l.* a year. The expenditure has rather exceeded it, because they have been erecting some very expensive public buildings there. The population of Trinidad is supposed to be between 70,000 and 80,000.

2233. Without impairing the efficiency of the public service, do you think the amount of the salaries might be very materially reduced?—I think it might.

2234. Have you considered to what extent that reduction might be carried?—No, I have not. I think the salaries of public officers might be reduced 25 per cent., and Governor Light states that he thinks the expenditure might be reduced 25 per cent. without touching the salaries of the public officers, so that that would make a reduction of 50 per cent.

2235. Are you inclined to think that a reduction of the present expenditure to the extent of 50 per cent. would be possible?—I am not competent to give an opinion on that subject.

2236. Sir *R. Peel.*] When you were resident in the colony had you an opportunity of observing whether the general frame of the constitution and government

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of Guiana was acceptable to the colonists?—Except upon occasions when they were brought into collision with the Government at home, I do not think they thought or cared much about it. When I was there, I do not think there was any strong or general feeling with respect to the extension of the franchise.

2237. It did not occur to you that any important alteration could be made in the constitution of the Court of Policy?—The greatest evil which occurs to me in the present constitution of Guiana is this: in a colony where there is only one council, in which the Governor can command a majority, his power is absolute, but in Guiana that is not the case. The Governor's power there, in a case like the present, can be exercised not to carry into effect what he wishes to do, but only to do the colony a mischief. Whenever he comes into collision with the opposite party he cannot say, "You shall do what I wish you to do," but "If you do not do so I will place you in such a position that the supplies shall be stopped, and the colony thrown into confusion."

2238. Does the manner in which the elective members of the court are selected give satisfaction generally?—I do not know that it does not; I have never heard that it does not. Here is a sentence of Sir Henry Light's which will illustrate what I mean: "With a Combined Court, constituted as it now is, the only alternative for the executive, in order to prevent the success of this plan, will be to adjourn the court, and the colony will then be placed in a worse condition than at present, and the treasury will be exhausted." When the Governor is thwarted that is the resource which he adopts, therefore I think it would be better if the colonists had not the power which they have, or if the Governor had not the power which he has of doing injury to the colony. The Governor should have either more or less power. In the present case, the consequence of the collision between the Governor and the Legislature has been, that the colony has lost 300,000 or 400,000 dollars upon the import duties, and the immigration of labour has been stopped.

Martis, 3° die Aprilis, 1849.

MEMBERS PRESENT.

Mr. Hawes.	Sir James Hogg.
Mr. Hume.	Mr. Adderley.
Mr. Stuart Wortley.	Lord Hotham.
Major Blackall.	Mr. Villiers.
Sir Robert Peel.	Mr. Wilson.

HENRY JAMES BAILLIE, Esq., IN THE CHAIR.

Matthew James Higgins, Esq. called in; and further Examined.

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2239. Mr. *Hawes.*] REFERRING to Question 2148 in your former evidence, you were asked this question, "Do you think Sir Henry Light exercised care and discretion in the appointments which he made?" You answered, "I do not think he did." You then referred to the appointment of the present Solicitor-general, who is now Acting Attorney-general, and you stated, "I think within the same month that that gentleman was appointed as Solicitor-general of British Guiana he was outlawed in England. He was an outlaw in England and Solicitor-general of British Guiana for a considerable time." Have you any personal knowledge of the circumstances of the case?—I believe on the 29th of March I stated to the Committee the whole of my information upon that point.

2240. Derived from personal knowledge, or was it information furnished to you?—I believe on that occasion I stated to the Committee the nature of the information from which I spoke.

2241. Will you refer to that portion of your evidence which states the authority upon which you gave that evidence?—Mr. Villiers asked me, "Do you know any of the circumstances of that debt, or the proceedings which led to the judgment?" I replied, "None whatever; I was only attracted to it by its

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being pointed out to me, that a man was appointed Solicitor-general and outlawed in the same month."

2242. You will observe that you do not state any authority there for the statement which you make?—I put in a copy of the outlawry; I believe that is the legal term for it.

Charles Cox, Esq., called in; and further Examined.

C. Cox, Esq.

2243. Mr. *Hawes.*] DO you produce from the Colonial Office certain papers relating to the case of Mr. Craig?—I do.

2244. Will you read them in the order of their dates?—This is an extract from Governor Light's despatch to Mr. Gladstone, 2d of July 1846: "Mr. Craig's reply to the charge against him will show the steps taken by that gentleman when he found his name, in January last, blazoned as an outlaw. It was apparently a vindictive act; the individual, whose brother is vicar of Leamington, and for whom Earl Somers, Messrs. Tollemache, Thomas, Vesey, Plumptre, Members of Parliament, interested themselves strongly at the Colonial Office, was not likely, lawyer as he was, to risk being outlawed for the sum of 20 *l.* sterling. The colour given to this transaction may probably yet be furnished. As regards Mr. Craig's acquaintance with me, it is very simple: he is gentlemanlike, accomplished, allowed to be a good lawyer. The infusion of new blood into the bar is expedient. I recommended him on the resignation of Mr. Roche to be Solicitor-general, and he was confirmed by Lord Stanley, previously to his quitting office. Mr. Downie was not likely to suggest Mr. Craig's appointment to the Bench during his leave of absence, had he considered the outlawry alleged against Mr. Craig to be valid."

2245. Mr. *Hume.*] Who is Mr. Downie?—He is one of the Judges of the colony. The next is a letter from Mr. Craig to Mr. Young, the Government Secretary of British Guiana, a copy of which was enclosed with the despatch I have just read: "I have the honour to acknowledge the receipt of your letter of this day's date, directing my attention, by desire of his Excellency the Governor, to the colonial newspaper, entitled 'Emery's Journal.' In referring to the paper in question, I find the allusion to myself to be, 'R. R. Craig, his Solicitor-general, an outlaw.' Upon this matter I beg leave respectfully to offer the following explanation for the information of the Right Honourable the Secretary of State: In the early part of January last my attention was directed to a paragraph in the London 'Times' in which my name appeared with others against whom proclamation of outlawry had been issued; immediately upon being made acquainted with the fact I wrote to Messrs. Law & Tindal, of Lincoln's Inn, my solicitors in London, instructing them to ascertain at whose instance the process had issued, and requesting them to investigate the case fully; in fact, placed myself in the hands of those gentlemen. It turned out after due inquiry that the proceedings were instituted for the very small sum of 30 *l.*, the costs of which amounted to 15 *l.* I am unable to state the precise position in which the case stands at present, as there was some doubt as to the proper steps to be taken under such circumstances, the measures adopted by the parties in London being considered vindictive, and in all probability illegal, as they were perfectly aware of my residence in this colony, and could have had recourse to their ordinary remedy in such cases. I beg further to state that I have written to Messrs. Law & Tindal, directing them to furnish the Secretary of State with the fullest information in their power on the subject. In conclusion, I beg leave respectfully to add that no one was more surprised than myself when I saw my name in the London journal to which I have alluded, and that more prompt measures than those which I pursued to ascertain the particulars of the transaction could not have been adopted."

2246. What is the date of that letter?—The 29th of June 1846. This is a letter from Messrs. Law & Tindal, addressed to the Secretary of State for the Colonies, dated 6th of August 1846: "My Lord, in consequence of a letter we have received this morning from R. R. Craig, esq. Her Majesty's Solicitor-general in British Guiana, in reference to a paragraph which had appeared in a local newspaper, wherein he was designated 'an outlaw,' we feel it our duty, as Mr. Craig's solicitors, (besides writing to him with the information he has required from us, to enable him to give the fullest explanation to the Governor

of

of the colony) to offer some explanation also to your Lordship; and although it may be premature or unnecessary, we trust that, under the circumstances, it will not be considered an officious or improper intrusion on our part. A 'Times' newspaper, of January last, which contained the name of Mr. Craig as one against whom proclamation of outlawry had been made, was the first intimation Mr. Craig received of the proceedings; and he immediately wrote to us, with instructions to inquire into the case, and either pay the amount due, or resist and try the action, according as we might consider the claim against him to be well or ill founded. We did inquire, and found the action was brought for an alleged debt of 28*l.*, and the amount being so small, we should have paid it without waiting to hear again from Mr. Craig, whether he acknowledged the debt or not, upon the withdrawal of the outlawry proceedings, but that a demand of 30*l.* was made for costs; costs of proceedings which, in our opinion, ought never to have been instituted, and were wholly unjustifiable as well as illegal. Other circumstances led us to the belief that it was a proceeding dictated by vindictive motives, if not for the purpose of extorting costs, and we considered that Mr. Craig ought not to submit to it. At the earliest period therefore which the nature of the proceedings admitted of, viz., so soon as the judgment of outlawry was pronounced, and which was not until the end of May last, we applied for, and obtained the Attorney-general's fiat for a writ of error to reverse the outlawry. The writ has issued, and the case is depending, and will be decided in due course of law. Perhaps we may be allowed to add, that what has happened in Mr. Craig's case may happen to any man who leaves this country either on official or private business, so soon as his back is turned, and that his only remedy against the abuse is the inadequate one (after the most offensive part of the mischief is done) which we have adopted on his behalf, of a writ of error to reverse the outlawry." There is also a short letter from Lord Grey, acknowledging the receipt of that: "Downing-street, 18th August 1846. Gentlemen,—I am directed by Earl Grey to acknowledge the receipt of your letter of the 6th instant, relative to Mr. Craig, Solicitor-general of British Guiana; and I am to acquaint you, in answer, that his Lordship considers the imputation on that gentleman of being 'an outlaw,' as being, under the circumstances mentioned in your letter, coupled with his own explanation on the subject, altogether unimportant and unworthy of any further notice." There is another letter from Messrs. Law & Tindal, dated the 16th of December 1847: "My Lord, in the month of August of 1846, we, as the solicitors of R. R. Craig, esq., Her Majesty's Solicitor-general in British Guiana, ventured to address your Lordship, in reference to a paragraph which had appeared in a colonial newspaper, wherein he was described as 'an outlaw,' for the purpose of removing the impression which, in the absence of such an explanation, such a public imputation upon him was calculated to produce, to Mr. Craig's prejudice, in the mind of any person whose attention was drawn to the paragraph. We had the honour to receive a letter in reply from Mr. Hawes, in which he stated 'that your Lordship considered the imputation on Mr. Craig, of being an 'outlaw,' as being, under the circumstances mentioned in our letter, coupled with his own explanation on the subject, altogether unimportant and unworthy of any further notice.' But having, in the letter to which Mr. Hawes replied, stated that we had, on Mr. Craig's behalf, sued out a writ of error, for the purpose of obtaining a reversal of the outlawry, as being illegally obtained, we are desirous of adding to our former explanation, that the case having come on before the Court of Exchequer, judgment has been given in Mr. Craig's favour and the outlawry stands reversed. With apologies for this further, perhaps unnecessary intrusion upon your Lordship's time, we have, &c., *Law & Tindal.*"

2247. *Chairman.*] Are you in the West Indian Department of the Colonial Office?—I am.

2248. How long have you been there?—Since January 1848 I have been in my present position in the West Indian Department of the Colonial Office.

2249. Mr. *Hawes.*] You have been much longer in the Colonial Office?—Yes.

2250. *Chairman.*] Do you recollect the circumstances which took place in reference to this transaction at the Colonial Office?—Not at all.

2251. You know nothing about them?—No.

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2252. Mr. *Hawes.*] WILL you refer to Question 2027; a question is there put to you to this effect: "When Sir Henry Macleod was sent down from Trinidad to settle the dispute between the colonists and Sir Henry Light, did not he agree upon the passing of an immigration ordinance which would satisfy the colonists?" You said in reply, "I think it is borne out by the despatches to which I have already referred." Did the immigration ordinance which was passed by Sir Henry Macleod come into operation?—It did.

2253. A considerable importation of labourers took place under that?—A considerable number of labourers came into the colony during that time.

2254. Are you aware, from your knowledge of the colony, whether there was any impediment to that immigration from the want of funds?—I think at that time a considerable portion of the funds were furnished by private individuals. I cannot state to what amount, but I believe such to have been the case.

2255. Do you speak of funds furnished by individuals after the immigration ordinance came into operation, or previously?—I presume after the immigration ordinance came into operation.

2256. Do you speak confidently upon that point?—I was not in the colony at the time.

2257. Are you aware of the number of immigrants that were introduced in the course of that year?—I think the Honourable Member has already stated it to the Committee.

2258. Should I recal the number to your mind satisfactorily if I said there was 8,000?—I think you stated the number to be 7,000.

2259. Do you think it likely that a large portion of that immigration was paid for by private funds after public funds were applicable to it?—I cannot say what the proportion was, but I have no doubt that there are documents in your possession which will state the exact proportion.

2260. Were private subscriptions for the purpose continued after 1841?—The Committee will have parties before them who will speak to that fact more accurately than I can, as I was not in the colony at the time.

2261. Have you no personal knowledge upon the subject?—I have no personal knowledge upon the subject.

2262. You were asked in Question 2029 whether another immigration ordinance was substituted for that granted by Sir Henry Macleod; you reply, "The same ordinance was sent out altered, and the alteration was the alteration suggested by Governor Light in that despatch, namely, that the application of the immigration funds should be at his sole disposal, instead of that of the finance committee of the colonial members of the court." To what year do you refer as the year in which the immigration ordinance so sent out was adopted?—I see that the alteration in the ordinance which Sir Henry Macleod sent home was made in England by the Privy Council on the 27th of April 1842.

2263. Was it passed in the Court of Policy in 1842?—This immigration ordinance was sent to England by Sir Henry Macleod, and it was altered by Her Majesty in Council on the 27th of April 1842.

2264. When was the alteration adopted by the Court of Policy?—I suppose as soon as it could reach Guiana.

2265. You have said that the ordinance of Sir Henry Macleod was in operation from the time it was passed in 1841 down to the period when the alterations were adopted by the Court of Policy?—The evidence before the Committee I think proves that.

2266. You stated that alterations were made, and that those alterations, if I interpret your evidence aright, left the immigration entirely at the disposal of the Governor: will you point out what were the powers of the Governor under Sir Henry Macleod's ordinance, which the colonists approved of, and what were the powers of the ordinance, as regards the Governor, adopted in 1842?—"Whereas the first clause of the ordinance aforesaid enacts, that from and out of the revenues annually accruing within the colony, there shall be annually set apart and paid, and applied for the purpose of encouraging the introduction into the colony of labourers in husbandry, such sum and sums of money as already have been, or which shall or may hereafter be raised and set apart for that object by the Governor and Court of Policy with the financial representatives

tives in Combined Court assembled." That is the mode in which the funds were to be applied according to the original ordinance of Sir Henry Macleod.

2267. That was a perfectly new mode of applying the public funds, was not it, in the colony at the time?—I have no knowledge of any similar transaction which had occurred before.

2268. Do not you know the nature of the sanction which is given to the expenditure of public money in Guiana?—I am not competent to give any evidence to the Committee upon that subject.

2269. What is the alteration to which you have referred?—"And whereas it is expedient that the first clause of the ordinance aforesaid should be repealed altogether, or be altered and amended as follows; viz. Be it enacted, that from and out of the revenues annually accruing within this colony, there shall be annually set apart and paid, and applied for the purpose of encouraging the introduction into this colony of labourers in husbandry, such sum and sums of money as have already been raised and set apart for that object, and such further sum and sums of money as shall or may hereafter be proposed by the Governor, and subsequently raised and set apart for that object by the Governor and Court of Policy with the financial representatives in Combined Court assembled." Therefore unless the Governor chose to propose a certain sum annually to be set apart for immigration, no immigration would have taken place. If he had chosen to be silent and not to propose anything, the Legislature could not have taken the initiative.

2270. Will you now refer to the former ordinance of Sir Henry Macleod, and show wherein the power of the Governor differed from that which you have now read?—This is the only alteration that took place; in one case the words are "such sum and sums of money as have already been, or which shall or may hereafter be raised and set apart for that object by the Governor and Court of Policy;" that is to say, the Governor and the Court of Policy would have proposed a certain sum when the financial representatives and the Combined Court assembled. It would have been done by the whole Court together, but any member of the Court, I imagine, would have been competent to have proposed a sum of money to be applied to immigration, but by vesting the proposition in the Governor alone, it gave him the sole control as to whether any, and how much money should be applied in any one year to the purposes of immigration.

2271. Do you mean to state to the Committee that the effect of the second ordinance gave the Governor greater power to obstruct immigration than that which existed before?—So I understand it.

2272. Can you state the nature of the powers, under the second ordinance, which the Governor had?—I have already stated them, as far as I am able to do so.

2273. Under the second ordinance, was not it competent to him to proclaim the places to which the immigrants should come, and to proclaim the bounty to be paid?—It is stated here that that was the only difference between the two ordinances.

2274. Are you prepared to say that under the second amended ordinance it was not in the Governor's power to proclaim the places to which immigrants should come, and also the amount of bounty payable upon their introduction?—I do not think I have said so.

2275. From having looked at this ordinance, cannot you state to the Committee whether such a power existed?—I did not look over the ordinances with that view. I looked over them to see wherein they differed. I see it is stated in this printed document that they differ in that point, and that alone, and I accepted it as a fact, and did not look further.

2276. In the one case the Combined Court had the power of regulating the money, and in the other the Governor alone?—Yes.

2277. Was any obstruction interposed by the Governor to the introduction of immigrants under either of those ordinances?—I was not in the colony at the time, therefore I think the Committee had better question some person who was upon that subject.

2278. Your statement, that it left the immigration entirely to the Governor, is merely an abstract opinion; and you have no information as to whether the Governor interposed any obstacle or not?—It is an opinion founded upon official documents supplied by the Colonial Office.

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2279. Whether there was any action on the part of the Governor to impede the immigration, you cannot inform the Committee?—I cannot; I consider that the colonists would naturally object to the alteration, inasmuch as, by the Governor's own statement, they were constantly in dispute with him; and therefore it left a measure which was of vital importance to their prosperity absolutely at his mercy.

2280. But in the exercise of his power, did he or not, as far as you have heard, interpose his authority to check the immigration?—I had rather not state what I merely know by hearsay. There will be other parties before the Committee who were in the colony at the time, and will be able to give them the information.

2281. You are a proprietor in British Guiana?—Yes.

2282. And in communication with other proprietors?—Constantly.

2283. Have you never heard from any of them that the Governor checked or impeded the immigration?—At that time I did not attend much to the affairs of the colony.

2284. Have you or not, up to this time, learnt from communications with parties interested in the colony that the Governor did or did not interpose his authority to check immigration?—I have already stated my opinion to that effect.

2285. That the Governor did or did not exercise his power to check the immigration?—I refer to my previous evidence.

2286. In your intercourse with gentlemen connected with the colony, have you ever heard, or from your own knowledge have you known, any complaint whatever, as regards the conduct of the Governor in reference to immigration?—I have already stated that I have not.

2287. Mr. *Adderley*.] Would not any ordinance which prevented the provision for immigration originating with the Combined Court have precisely the same effect as a direct obstruction on the part of the Governor. Did not the new ordinance create an obstruction, whether the Governor interposed any obstruction or not, because it prevented the provision for immigration originating with the Combined Court?—It did.

2288. Therefore the ordinance itself created an obstruction, whether the Governor made use of it or not?—Yes.

2289. Mr. *Hawes*.] I believe your evidence as regards the bringing of the loan into operation in 1844, was entirely given upon the information furnished you by Mr. M'Leary?—It was.

2290. One of the loan commissioners?—Yes.

2291. You stated that he would attend to confirm that evidence?—No such question, I think, was asked me. I stated that it was given upon his authority.

2292. Have you any reason to know whether he would have any objection to attend the Committee?—I have no reason to know whether he would or not.

2293. You were asked, in Question 2049, "You consider it unfair towards Guiana that the Colonial Office should sanction reductions in Trinidad and other places, and refuse permission to you to make them?" You were also asked, in a subsequent Question, 2055, "You do not know whether the civil list has been granted for a fixed period, or whether it is granted annually?" You say, "I do not." You are aware that there is a civil list in Guiana?—I am, perfectly.

2294. May I assume that you are also aware that there is no civil list in Trinidad?—I know nothing about it.

2295. There is not a civil list in Trinidad, as far as you know, is there?—I know nothing about it.

2296. In Trinidad are you at all acquainted with the circumstances which led to the proposal on the part of Lord Harris to reduce the salaries there, and the grounds upon which Lord Grey assented to those reductions?—I believe that the ground upon which Lord Harris proposed the reduction was, the extreme distress of the planters; he stated that he saw men reduced to the utmost state of destitution from no fault of their own, by their inability to induce their labourers to work; and I think it was his compassion for the people whom he was sent to govern that induced him to endeavour to alleviate their burdens, by reducing his own salary and those of the other public officers.

2297. Was not it the fact that the income was not equal to the then expenditure?—The taxation of Trinidad has been about 80,000*l.* a year, and owing to

to the erection of some rather expensive public buildings, they have during the last year or two spent from 90,000 *l.* to 120,000 *l.* a year.

2298. Therefore the expenditure considerably exceeded the income in the case of Trinidad?—It did.

2299. In Guiana there was a civil list, fixed by an ordinance, and sanctioned by the Crown?—There was.

2300. Up to September 1848, is there any evidence to show, as far as you know from your connexion with the colony, that the revenue of the colony of Guiana had fallen below its expenditure?—I do not believe that it had.

2301. Are the cases then at all parallel?—I think they are so far parallel that the planters in Guiana, from whom the entire revenue really emanates, if you trace it back to its source, were utterly ruined. There happened to be a little ready money in the colony at the time; but I do not conceive that was any reason why they should not do their best to economize. The fact of their having a small sum of ready money in the treasury of the colony is surely no reason why they should have deferred diminishing their expenditure till it was exhausted.

2302. I am not referring to the state of the treasury, but to the state of the revenue from the import duties and other sources down to September 1848?—I am perfectly aware that the revenue was sufficient to meet the expenditure.

2303. Then considering that in Trinidad the expenditure exceeded the income, and considering that in Guiana the revenue exceeded, or at least equalled the expenditure, was there any inconsistency in the Government consenting to reductions in Trinidad, and resisting them, under the circumstances and in the form in which Lord Grey has resisted them, in Guiana?—I think there was a manifest inconsistency.

2304. Will you state the grounds on which you say so?—The taxation of Trinidad is 80,000 *l.*, and I think the population is about 75,000. The taxation of Guiana is 230,000 *l.* a year, and the population is only 120,000. Therefore I think there was a far stronger case for diminishing the expenditure of Guiana than there was for diminishing the expenditure of Trinidad, the taxation of the former having hitherto been nearly treble that of the latter.

2305. Can you state what has been the principal cause of the increase of expenditure in that colony of late years?—I imagine the immigration which has taken place.

2306. Which was desired and pressed for by the planters?—Yes.

2307. Can you state, from your knowledge of the colony of Guiana, what are the details of the expenditure entailed upon the colony by immigration?—No.

2308. Are you aware that it has entailed an increase of the police and of hospitals, and, probably, with an increase of population an increase of the gaols, and that those establishments have cost the colony a great deal of money?—I am aware that in consequence of the immigrants having been sent into the colony without any proper laws having been enacted or enforced for their regulation, the hospitals and the gaols have been very full of them indeed.

2309. You say that proper laws have not been enacted for the regulation of labour in Guiana; will you state whether or not the Court of Policy have transmitted to the Secretary of State ordinances which have been rejected?—I think I showed the Committee when I was last examined, that up to the year 1847 the Governor had set his face against any such ordinances being enacted. I think I showed the Committee also that from a speech that Mr. Hawes made in the House of Commons they could have no great hope that any proper ordinances would have been sanctioned by the Colonial Office at home, or enforced by the magistrates in the colony, if they had been enacted. Therefore I think, under the circumstances, if I had been a member of the Court of Policy in the colony I should not have taken any steps in the matter.

2310. Are you aware of the despatch of Lord Grey on the 23d of May 1848?—I quoted a passage from it on my last examination.

2311. You will observe that it makes certain objections to an ordinance transmitted for the purpose of encouraging immigration, and also for providing medical attendance and medicine for immigrant labourers, and so on?—I think I may save the time of the Committee, by saying that I do not think anything could have been more satisfactory to the colonists than that despatch of Lord Grey.

2312. Has that despatch, as far as you know, been acted on?—After I heard

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your subsequent speech in the House of Commons, I ceased to take any interest in the subject, because I felt sure that if any ordinances came home founded upon that despatch they would be incompatible with the views which you asserted upon that occasion.

2313. Does not the Secretary of State there transmit his opinions together with his objections to certain ordinances, and invite the Court of Policy to proceed to the enactment of a law: is not that substantially the effect of that despatch?—It is. That despatch is dated the 23d of May 1848, and on the 23d of June 1848, a month after, the Under Secretary of State censures the colonists for having formerly enacted ordinances imposing imprisonment with hard labour for a month for any misdemeanor, under which term were included unreasonable absence from business, wilful neglect of duty, and carelessness in the use of fire. I do not think if we had attempted to frame ordinances we could have imposed a lighter punishment than that for such offences, and yet I found we were held up by you to the odium of England for having formerly attempted to do it; therefore I considered that quite sufficient to discourage the colonists from attempting to legislate upon the subject.

2314. Do you state upon any knowledge which you possess, that the statement referred to as having been made by me in the House of Commons induced the Court of Policy not to proceed in the course of legislation recommended in this despatch?—I have no doubt the Court of Policy attend to everything you say with that respect which is due to you, but I have no possible means of proving that it had any particular effect upon them; I was not in the colony at the time.

2315. Have you heard from any proprietor, or any person connected with the colony, that the statement made by me was alleged as a reason for not acting upon that despatch?—I have heard that speech of yours commented upon by almost every person connected with the colony.

2316. Have you heard from any proprietor, or any person connected with the colony, that the statement made by me was alleged as a reason for not acting upon that despatch?— No.

2317. And that despatch you state to have been most satisfactory to the colonists?—Yes.

2318. But from that time the Court of Policy have not acted in concurrence with the views there expressed?—I am not even competent to assert that; I have not followed up what has taken place in the Court of Policy, but I do not know that they have

2319. You stated, in answer to Question 2056, that Governor Light makes in one of his despatches a suggestion that the colonial legislature might have been suspended by an Order in Council; where does Governor Light make that statement?—It is in page 21 of the papers presented to this Committee relating to Guiana. He says, "It would undoubtedly be in the power of Her Majesty in Council to alter the constitution of this province, but from my knowledge of the influence of the banks on all classes, little or no advantage could be gained by an assembly and council; the former would consist of idlers and agitators, the latter of the present men, who have now the power of throwing the finances into confusion, and embarrassing the Government here and at home.

2320. You will see that that refers only to an alteration of the constitution, not to suspending the legislature?—I presume that it would come to the same thing virtually. I do not know how it would be construed at the Colonial Office, but it appears to me to come to the same thing.

2321. Governor Light does not say in that despatch that an Order in Council could suspend the legislature of the colony?—He says what I have read; and that is the construction which I put upon it.

2322. You conceive that an alteration in the constitution by an Order in Council is the same thing as suspending the legislature?—I consider, if you have the power of altering the constitution to an indefinite amount, it comes to the same thing as suspending the legislature.

2323. Does it follow that you have the power to an indefinite amount?—There is no definite amount stated here.

2324. The constitution might be altered to this extent by adding non-official members to the Court of Policy, might not it?—I do not see how any accession of power would be conferred on the Governor by doing that.

2325. I am

2325. I am supposing that he has the power to alter the constitution by an Order in Council; in that case, supposing that power to exist, and to be exerted simply for the purpose of adding non-official members to the Court of Policy, would not that be a considerable alteration in the constitution, and yet not a suspension of the legislature?—I think I can put another case in which the legislature would be suspended.

2326. In that particular case the legislature would not be suspended, and yet the constitution would be altered?—But supposing an overwhelming number of official members were added to the court, and that they were given to understand that they were to vote with the Governor, the constitution would be suspended.

2327. You state, in answer to Question 2066, "At the present moment, if Mr. Barkly has gone out there with the intention that his own salary shall remain intact, I do not see with what face he can turn round upon the sexton and other officers who may be receiving smaller salaries." Do you know anything of the nature of the office of the sexton in George Town?—My acquaintance with the office of that person is entirely derived from documents with which I have been furnished by the Colonial Office.

2328. Is it an appointment by the Governor?—I believe it is.

2329. Cannot you state whether there is an established tariff of fees or not?—I cannot.

2330. You know nothing about what the office is?—I presume that the sexton is a person who is employed in burials.

2331. As to the constitution and the remuneration of his office you know nothing?—I am not versed in the subject.

2332. Are you aware whether it has been the subject of considerable discussion in the Court of Policy in the colony?—I think I have seen it occasionally mentioned in the papers, but I did not pay particular attention to it till I remarked the enormous amount of his salary in the documents furnished to me by the Colonial Office.

2333. You have not heard from persons connected with the colony that an ordinance has been passed reducing very much the emoluments of that office?—I have not heard that, but I am very glad to hear it.

2334. The reduction of the salary by a local ordinance, is, of course, the act of the Court of Policy in its legislative capacity?—With the approval of the Governor, I presume it is.

2335. Before any decision has been come to as to the reduction of the charges upon the civil list?—I conclude that the salary of the sexton was so preposterous, that they felt no hesitation in taking the step you say they have taken. My observation, in Question 2066, I meant to apply to men receiving 500*l.*, or 600*l.*, or 700*l.* a year, who would naturally consider themselves very ill-used in having to relinquish 25 per cent. of that amount, if they saw superior officers on the civil list retain their salaries intact.

2336. Will you turn to Questions 2074, 2075, and 2076; I understand that the effect of the evidence there given is this, that when, on the 7th of February 1848, Lord Grey stated in the House of Lords that a reduction of wages had taken place, he was in possession of despatches, which had just previously arrived, which did not sustain that statement?—That is what I intended to imply.

2337. Will you refer to the speech made by Lord Grey; the passage to which you refer, I imagine, to be this: "He had also seen it stated in the local newspapers that on the east coast of Demerara, where a contemplated reduction of 25 per cent. in wages had taken place, it had been met cheerfully and in perfect good humour by the negroes, who would submit to the reduction of wages when they saw it was necessary, but who, when they saw the planters anxiously competing for their labour, would endeavour to get the last farthing they could obtain. The consequence of that reduction was, that at once, and without the expense of immigration, the colony obtained the advantage of an increase of one-fourth to its working population"?—That is the passage.

2338. In that passage Lord Grey states that he had read it in the local newspapers?—So I perceive.

2339. And I believe you admit the newspaper to have been the Royal Gazette?—Mr. Rose, in animadverting upon that statement of Lord Grey in the Court of Policy in British Guiana, stated it was in the Royal Gazette, but I have not looked at the Royal Gazette myself.

 2340. You

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2340. You stated that the latest of those two packets which arrived just before that speech was made brought a letter from Governor Light to Earl Grey, dated the 31st of December 1847, which was received on the 3d of February 1848, four days before that speech was made; I also find in your evidence this passage, as quoted from the despatch: "As affairs now stand, one-half the sugar estates will be unable to carry on the cultivation unless the price of labour is reduced, and the labourers will learn the truth of my doctrine." Do you at all know the date of the newspaper from which Lord Grey spoke?—The newspaper might have been of a date two or three days later; but there is a despatch written by Governor Light, which is dated the 1st of January 1848, two days later than the despatch which I have quoted. That despatch contains not one word of the negroes having returned to their work, and it is not likely that Governor Light, who by his own declaration had been previously in correspondence with Earl Grey upon the subject, would have allowed a packet to sail without sending him information of such a happy alteration having suddenly taken place in the feelings of the labouring population of Guiana.

2341. The despatch in which that passage occurs was received upon the 3d of February, and is dated the 31st of December?—Yes.

2342. Then you say there was another despatch?—Yes.

2343. And that contained nothing about the reduction of wages?—There is only an extract of that despatch published; there are two passages excised, but I presume intelligence of that kind would certainly not have been excised.

2344. You will observe that Lord Grey in his speech speaks entirely upon the authority of a local newspaper?—That was exactly what I said.

2345. I hold in my hand the Royal Gazette, dated July the 4th, and I will read this passage out of it: "It was clearly enough demonstrated to the people, that sugar was not, at the old rates of wages, paying the planter; and the alternative was in many districts submitted to the peasantry either of not working at all, or of working for wages reduced at the rate of 25 per cent. With wonderful smoothness and placidity, all things considered, the people have agreed within the last few days, in the finest and most extensive sugar district of the colony, the Arabian coast of Essequibo, to accept the reduced rate; and the same thing, we learn, has happened on the east coast of Demerara. This great change has been effected without any strike, without any sulkiness, without any manifestation of ill-feeling; and shows on the part of the free peasant of this province a degree of manageableness, which surpasses, we are inclined to think, any degree of submission which coercive discipline can produce in Cuba or elsewhere"?—That very extract bears upon it the impress of its being untrue, because it states that the labourers had done this without any strike, whereas Earl Grey had read in Governor Light's despatch, written four or five days before, that "as matters then stood half the sugar estates of the colony would go out of cultivation;" therefore the fact of an editor of a newspaper having said that the reduction of wages had been made without any strike at all, would have convinced anybody who thought the passage proper to be quoted in Parliament that it was of a dubious character.

2346. Did not Lord Grey state in his speech that he spoke from the authority of a local newspaper, and not from despatches?—That is what I have said, he having despatches in his possession which stated the contrary.

2347. Will you show me any despatch which states the contrary?—I refer to the one of the 31st December 1847, from which I have quoted, which states, "as matters stand, half the sugar estates of Guiana must go out of cultivation."

2348. Unless the price of labour is reduced?—Precisely; unless the price of labour is reduced. Governor Light stated to this Committee that at the end of 1847 there was a strike, and that he considered it was his duty to keep Lord Grey informed of every circumstance connected with that strike; therefore it is very clear that if any such sudden change had taken place in the disposition of the negroes, Governor Light would have informed him of it, but he said not one word about it.

2349. Is your statement founded upon the presumption that the Governor transmitted some despatch to Lord Grey, which has not been published?—The despatches written by the Governor in the months of November and December have not been published.

2350. And you assume as probable that there are some despatches received in those months which would directly contradict the statement which Lord Grey

Grey made, founded upon this local newspaper?—I have said nothing of the kind.

2351. Do you assume that?—I do not.

2352. In what point of view do you refer to the despatches received in those two months?—Because if Governor Light's statement be true, of which I have no doubt, that the strike had commenced in the end of 1847, and that he kept Lord Grey acquainted with the circumstances of that strike, it is evident that those despatches must contain the particulars which he refers to.

2353. Granting me for a moment that all the despatches relating to this subject have been published?—I cannot grant that; I know they have not; I know that from Governor Light's own statement, that the strike had commenced in 1847, and that he kept Lord Grey fully informed of all the circumstances connected with it.

2354. Am not I right in assuming that your opinion is founded upon certain despatches written by Governor Light, which have not been produced?—I should be very sorry to found my opinion upon any despatches which have not been produced. I found my opinion on that despatch of the 31st December 1847, which has been produced, and which says, "as matters now stand, half the sugar estates in the colony will be abandoned."

2355. Does not it also go on to state, "unless the price of labour is reduced," and is not that of the date of the 31st of December 1847?—That is so, but it does not state that the rate of labour had been reduced.

2356. Does not the newspaper to which you have referred upon the 4th of January, some days later, refer to that fact?—But the newspaper also states that there had been no strike at all, which I maintain proves that it was unworthy of attention.

2357. The newspaper only refers to two particular districts, which two particular districts Lord Grey referred to in his speech?—Those two particular districts comprise two-thirds of the colony.

2358. They were specially referred to in the speech of Lord Grey, founded upon the local newspaper?—They were, but the official communication which he had before him to the contrary was not referred to at all.

2359. Do you mean facts which he had it in his power to state to the contrary?—Yes.

2360. What facts?—Facts to be found in Governor Light's despatch of the 31st of December 1847.

2361. Governor Light does not there say any more than this: that half the sugar estates of Guiana must go out of cultivation unless the price of labour is reduced; supposing subsequently the price of labour had been reduced in certain districts of the colony, is there any inconsistency in Lord Grey stating that, founded upon the authority from which it is quoted?—I think it is highly improper that any Minister of the Crown should state a fact of that importance to the distressed interests whose case was then before Parliament, founded upon the leader in a colonial newspaper; I could quote many statements in newspaper leaders in England which you would think it very unfair to have stated as facts in the House of Commons.

2362. Inasmuch as in this case the authority was stated, is there anything inconsistent with Governor Light's despatch of the 31st of December 1847; may not the wages have been reduced in those districts within four days subsequently?—Lord Grey did not acquaint the House of Lords with the information contained in Governor Light's despatch; he never alluded to it at all. That is what we complain of, that the statements of the Governor were withheld respecting the state of labour, whilst leaders in colonial newspapers were quoted.

2363. *Chairman.*] When was Governor Light's despatch of the 31st of December answered by Lord Grey?—On the 12th of February 1848, four days after he made his speech, Lord Grey answers Governor Light's despatch of the 31st of December, thus: "Sir, I have to acknowledge the receipt of your despatch of the 31st December, No. 224, transmitting a copy of a letter, which, with your sanction, Mr. Walker, the Colonial Secretary, had addressed to the stipendary magistrates, directing them to exert themselves in order to induce the labourers to consent to a reduction of their wages. I have to express my approval of this circular. The subject to which it relates is one of the deepest importance to the landed proprietors of the colony, and you will not fail to keep me fully informed of the results to which it may lead."

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2364. Was not that enclosed in a despatch?—Mr. Walker's letter was enclosed in the despatch which Lord Grey thus answered, and his answer shows that he considered that the labourers had not at that time gone to work, or he would not have requested to be kept fully informed of the results of a proclamation which was exhorting them to go to work.

2365. Mr. *Hawes.*] Let me call your attention to this passage: Lord Grey acknowledging that very despatch of the 31st of December, approves of what the authorities in the colony had done with a view to reduce the wages, and he simply requires to be informed accurately of what passes. Is there anything in that inconsistent with the statement, that four days after the 31st of December, upon the authority of a paper supposed to be well informed, the wages in particular districts had been reduced?—I think the despatch is highly inconsistent with the information given by Lord Grey to the House of Lords, "that the colony had at once, and without the expense of immigration, obtained the advantage of an increase of one-fourth to its working population." I do not think the interference of the stipendiary magistrates would have been rendered any longer necessary if that happy result had actually occurred.

2366. That is founded upon a statement that the wages had been reduced 25 per cent., and the authority for that statement is given?—The Committee are in possession of the facts, and it is for them to decide upon them.

2367. The newspaper upon which the statement is made is of a date four days later than the despatch to which you refer?—It was three days later; there was one despatch on the 1st, which contained nothing about the cessation of the strike either.

2368. The newspaper was dated the 4th of January?—Yes; and the passage which you have quoted from the newspaper says, "This has occurred within the last few days," which fixes it about the day the Governor wrote his despatch.

2369. You have referred to the despatches in the two months of January and December?—Those despatches have not been printed, and I have no opinion to pass upon them, having had no means of access to them.

2370. (To Mr. *Cox.*) Have you examined the registry in the Colonial Office as to the reception of despatches during the months of December 1847 and January 1848 from British Guiana?—I have.

2371. Will you look to these papers *(the same being handed to the Witness)* and state whether they are a correct copy of the registry, to your knowledge?—I have examined both of these copies of the register; they contain the list of despatches received in the months of December 1847 and January 1848.

2372. Mr. *Hume.*] Were there any despatches received from Governor Light respecting Guiana in those two months?—Yes, several.

2373. How many are there?—Twenty-eight.

2374. During those two months?—Yes.

2375. Mr. *S. Wortley.*] Are there any of those despatches which during the months of December and January were received from Governor Light which refer to the subject which the Committee are now inquiring into?—There is no despatch from Sir Henry Light in those two lists (which comprise every despatch received during those two months) which bears upon the subject.

2376. Mr. *Hume.*] Do any of the despatches received from Governor Light in those two months contain any statements relative to the strike of the labourers or the amount of wages in the colony at that time?—None.

2377. Mr. *S. Wortley.*] If they had contained any statements of the nature which have been alluded to in respect to the strike of the labourers, would they have appeared upon that list of despatches?—Certainly.

2378. Besides examining the registry, have you examined all the despatches which are there entered?—No, I have not.

2379. Mr. *Hume.*] Do you take any notice in the registry of private letters from the Governor?—I think you will see a private and confidential one registered among them.

2380. Are all the private letters which come registered in that manner?—That I cannot undertake to say.

2381. Do you suppose during that time only one private and confidential despatch was received?—Private and confidential despatches come direct to the Secretary of State, who sends them up to be registered or not as he thinks fit.

2382. It

2382. It rests with the Secretary of State whether any private despatch shall be registered or not?—It does.

2383. *Chairman.*] If you have not examined those despatches, how do you know what they contain?—There is a registry of them which states the substance of them.

2384. Sir *J. Hogg.*] If a public despatch is marked "private and confidential," does it go, as a matter of course, to be registered, or does it depend upon the Secretary of State whether he will or not send it to be registered?—It depends upon the Secretary of State; generally speaking, it comes to the department to be registered.

2385. Mr. *S. Wortley.*] Am I to understand, that the only document which does not go as a matter of course to the department, is a document in the nature of a private letter?—Yes.

2386. If it is in the form of a public despatch, it goes to be registered, though marked private and confidential?—If sent by the Secretary of State for that purpose.

2387. Is a private letter ever registered?—Yes; very often letters which are marked private are registered.

2388. Strictly private letters?—Not strictly private letters.

2389. Mr. *Hawes.*] The despatches are divided into different classes in the colonial regulations?—Yes: there are public despatches which are regularly numbered despatches; then there are other despatches which are marked private and confidential, which are registered; there may be private letters which go to the Secretary of State direct, and of which we know nothing.

2390. Mr. *Hume.*] You have stated that all private and confidential despatches go in the first instance to the Secretary of State?—Yes.

2391. What he thinks proper to be registered, he sends to be registered?—Yes.

2392. Mr. *S. Wortley.*] Despatches, though marked private and confidential, if of a public nature are registered in the ordinary course?—If sent by the Secretary of State to be registered.

2393. But private letters coming to the Secretary of State, not being of a public nature are not registered?—No.

2394. But sometimes a despatch of a mixed character is, by the order of the Secretary of State, registered, though it comes to him direct?—Yes.

2395. Mr. *Hume.*] Is any register kept of private despatches or private letters sent by the Colonial Secretary to the Governor?—It depends upon what the Honourable Member calls private letters. Lord Grey may write a private letter to a Governor, of which there is no record kept in the public department of the office. He may also write private despatches which are recorded in the public department.

2396. Is there a private department connected with the office?—No.

2397. You say it is not recorded in the public department of the office?—My previous answer referred to his private secretary.

2398. *Chairman.*] I understand you to state that in the case of private and confidential despatches, it rests with the Secretary of State whether they shall be registered or not?—It does.

2399. Therefore, there may have been some private and confidential despatches during that period, which are not registered?—It depends very much upon whether the despatch is included in a schedule of despatches which the Governor sends home at the same time.

2400. Mr. *Hawes.*] As far as you know the practice of the Office, private and confidential despatches which are transmitted by the Governor are usually registered?—Yes.

2401. That is the rule?—Yes.

2402. It would be only upon some grounds of strong public policy that the Secretary of State would depart from it?—Certainly.

2403. (To Mr. *Higgins.*) Will you refer to Question 2084. You state in reply to it, "I think we are not in possession of any despatches which had arrived during the month of December and the January preceding, except just at the end of January. There must have been despatches received at the Colonial Office in those months that would probably throw very great light upon this subject"?—I ought to have said, which were written in the November and December preceding. All the despatches written in January have been

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published. I have made that correction in my former evidence. I do not think, however, that the production of those despatches is important to elucidate this case, because it appears to me that the whole question hinges upon the despatch of the 31st of December 1847, which we have.

2404. You will see that in this answer to Question 2084 you implied that the despatches must have been received, and I understood from you that those despatches relating to these subjects have not been produced?—I have the best reason for saying that, from the evidence given by Sir Henry Light himself, that the strike had existed during those months at the end of the year, and that he had kept Lord Grey fully acquainted with what took place. Now, no despatch, except that of the 31st of December, has been published. Sir Henry Light may have been mistaken, but the mistake is with him and not with me.

2405. That opinion of yours rests entirely upon the statement of Sir Henry Light?—I consider that to be the best evidence I can adduce; but I do not consider that that at all invalidates the charge founded upon the despatch of the 31st of December 1847.

2406. You state that no legislation took place upon Lord Stanley's circular of 1843?—From 1843 to 1847. I have stated that, and I have stated the authority upon which I made that statement. I stated in answer to a question of Sir James Hogg, that I made that assertion relying upon a memorandum signed by the attorney-general of Guiana.

2407. What was the date of that?—The 1st of January 1847.

2408. Have you seen a memorandum drawn up by Mr. Arrindell, dated 3d of May 1848?—No.

2409. Between 1843 and 1847, you say, no legislation took place in consequence of Lord Stanley's circular?—Not in consequence of Lord Stanley's circular, but in consequence of Sir Henry Light's objection to it.

2410. Did Sir Henry Light object to legislation in conformity with that circular, subsequently to 1843?—He states in answer to a despatch in 1847, that he had purposely delayed acting upon it until he had effected other changes in the criminal and civil law of the country; and in his answer in 1843 to the despatch in which the circular was enclosed, he had previously stated that more stringent legislation was perfectly unnecessary; that the laws for the regulation of labour were quite sufficient, and that the relations between the employers and the labourers in Guiana were of the most satisfactory and admirable nature.

2411. He stated that as his opinion?—As his own opinion.

2412. After the circular of Lord Stanley, it was competent to the Court of Policy, was not it, to convey to the Governor their wish that legislation should take place?—It was perfectly competent to the Court of Policy to do so, and the attorney-general, Mr. Arrindell, in his memorandum, states they had repeatedly done so without effect.

2413. In the memorandum you have quoted from?—Yes.

2414. Will you read the passage?—"From the year 1843 to the time of its being passed it was constantly referred to by one or other of the members of the Court of Policy, who urged your Excellency to instruct the Attorney-general for the time being to carry the Bill through the Court."

2415. Was not the Governor's objection, that there were other important Bills relating to the administration of justice, which he thought should have precedence?—I have already read that passage to the Committee.

2416. Was it so or not?—It was.

2417. That, then, is the reason he assigned, not as having any objection on principle to a law regulating labour in the colony, but because there were other legislative measures of greater importance, to which he wished to give precedence?—When he received the circular in 1843 he stated, at considerable length, the many objections he had to acting upon Lord Stanley's circular, the sum of which was that there was no occasion for it.

2418. Was not the reason he assigned the one which I have now stated?—He stated in 1843 that there was no occasion for it, and in 1847 he states that he had determined that the necessary reforms in the civil and criminal code of the colony should precede all legislation respecting vagrancy and labour.

2419. I find Mr. Arrindell, the attorney-general, stating on May 3d, 1848, that in 1844 the Governor "was intent on carrying through the reforms in the civil

civil law which had been long promised, and in which scarcely any progress had been made; and being, as I was, selected principally for the purpose of framing the new civil law ordinances, I considered it improper to interrupt their course through the court, and therefore did not take up or bring forward the two bills just mentioned. After some months the civil law ordinances, eight in number, passed the Court of Policy, and the court was then adjourned." Does not that justify the opinion that the Governor rather raised an objection by preferring certain other measures, than that he took an objection on principle to any law for the regulation of labour?—The Committee are already in possession of the statements which Governor Light made prior to 1845 and prior to 1843, of the industrious disposition of the negroes, and of the unfairness of the planters in attributing idleness to them. The consequence of his having devoted his exclusive attention to the reform of the civil and criminal law, and having postponed the enactment of labour laws, may be learnt by reference to his despatch of the 3d of May 1848, wherein he writes thus: "Planters cannot regulate the work on their estates as farmers do in Europe; they are subject to the caprice of the negro; continuous labour cannot be had; the crops fail while the liabilities increase." Therefore I submit it would have been better if he could have contrived to make his ameliorations in the various laws go hand in hand, or if he had passed sufficient labour and vagrant laws before he proceeded to reform the civil and criminal law of the colony.

2420. With reference to the taxation of Guiana, has there not lately been a considerable change made from a direct taxation upon the planter's property to a taxation upon articles of general consumption?—I presume, by taxation upon the planter's property, the Honourable Member means the capitation tax upon slaves.

2421. No, a direct taxation?—There has been a diminution, but not to any great amount; I am not competent to speak accurately upon the subject.

2422. Has not the larger portion of the revenue of British Guiana been raised by taxes upon articles of consumption?—No doubt; upon rum, chiefly.

2423. And that of recent years?—Yes, I believe so; I think formerly the capitation tax upon the slaves was the largest.

2424. To that extent the planters have been directly relieved?—When you deprived them of their slaves, you could not well retain the capitation tax.

2425. As immigration has been largely extended, a debt has been created, and the interest of that debt paid out of the revenue; has not the interest of that debt been paid chiefly out of taxes falling upon articles of consumption?—It has, no doubt.

2426. You stated, in answer to Questions 2022 and 2023, that the provost marshal now performs his office by deputy. You do not mean to say that it is a sinecure office, do you?—I stated that he was at this moment in England; that is a proof that he does not perform his duties in Guiana himself.

2427. May not a man have leave of absence, and a substitute be found to perform his duties temporarily?—That is what I mean by his performing his office by deputy. At the present moment the Chief Justice is in England, and Mr. Arrindell performs his office.

2428. You do not mean to say that it is a sinecure office?—By no means.

2429. With regard to the complaints or grievances of Guiana generally, what are the principal complaints which you have heard of in the administration of the colonial government?—That is a wide question, which I should like to have a little time to answer. I think I have stated a few of them. If I state them all, you will say to me, you must prove them all; and as many of the documents which are necessary to prove them are in Guiana, and others in the Colonial Office, I may place myself in a false position by stating them.

2430. You are aware that that is not strictly an answer to the question, but rather a comment upon it; what I wish to know is, whether in your intercourse with the proprietors in Guiana you have heard any complaints of the colonial administration?—I think I have stated that we were dissatisfied with the mode in which the introduction of proper labour and vagrancy laws has been impeded in Guiana. It is a matter which may seem of very little importance to people in this country, but it is a matter of vital importance to us that when a law is introduced there, it should be strictly enforced. If the Governor is indisposed to enforce it, the stipendiary magistrates soon find that out; if they do not enforce it, it makes their duties much lighter than if they do; and, without

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attributing any evil motives to them, they soon find out that if the Governor is disposed to allow a law to lie dormant they have much easier places than if they are required to enforce it rigidly. I will refer to the statement here made by a Mr. Mure, a stipendiary magistrate; he is applying for leave of absence to come to England, and he states that for the last three years the number of cases brought before him for his decision have only amounted, on the average, to two in a month. Now persons unacquainted with the colony, reading that, would suppose that it was a most industrious and innocent community, and that stipendiary magistrates were utterly superfluous; but that was by no means the case. I know from my own personal experience that it was not so; the fact was, we found out that in sending for this gentleman we obtained no redress, and therefore we abstained from sending for him. I can put in what I think is tolerably good evidence of that from a journal which I kept when in the colony in 1838–9, from which I can show that this Mr. Mure came on my estate, that he sentenced a number of negroes to pay a fine, but he told me he did not know how to levy the fine. The negroes neither paid the fine nor went to work and yet, a week afterwards Mr. Mure came on my estate and read an address to the negroes from the Governor, praising them for their good conduct.

2431. What steps were taken, assuming that to be the general opinion in the colony, to bring the lax administration of the law under the notice of the Governor and the Court of Policy?—It is very difficult to bring circumstances of that kind under the notice of the Home Government. The obvious mode is by petition to the Secretary for the Colonies; that petition however comes through the hands of the Governor, and the Governor makes his comment upon it, either that it proceeds from discontented men or that there really is no cause for it; and of course the Colonial Office, placing full confidence in its own Governor, does not take much trouble to investigate the merits or demerits of any petition of which the Governor disapproves. I wrote to Governor Light in this very case, complaining of what had occurred; I saw him when I came up to George Town, and he told me he had referred my letter to the Colonial Office. In those days steam navigation was not, and I was nearly six months before I got to England; when I arrived I went to the Colonial Office to see if anything could be done in the matter, and I was told that Governor Light had written a despatch to the Colonial Office, in which he mentioned that a gentleman of my name had made a complaint; that he stated my letter was enclosed in his despatch, but that it seemed that the Governor's secretary had forgotten to put it in, therefore the matter remained where it was.

2432. That was not from any indisposition to investigate such cases on the part of the Colonial Office?—No. Mr. Labouchere was Under Secretary then; and I am sure he would have done what was necessary if he had received it, but he did not get it.

2433. In what year was that?—In 1839.

2434. With reference to any other branch of the colonial administration, are there any other leading complaints which have reached your ears in your intercourse with the colony?—I do not think the Governor applied his patronage very judiciously.

2435. Does that observation, with regard to the patronage, apply generally, or only to the particular cases which you have mentioned?—I have merely mentioned cases that have come to my knowledge. There may have been more, or those may have been the only ones. I have not sought very deeply for such cases.

2436. Those cases are with reference to the appointment of certain aides-de-camp?—I do not consider the appointment of an aide-de-camp very important, because he has no pay and he has no duties; therefore I should not have alluded to those, if Governor Light had not himself mentioned that the appointment of his aides-de-camp gave dissatisfaction otherwise he might have appointed the whole colony without incurring censure from me.

2437. Mr. Carberry's was a case in point?—Yes, it was one of the cases; he was one of the Governor's aides-de-camp.

2438. Mr. Craig was another appointment to which you referred?—Yes. I know nothing personally of Mr. Craig. I have no wish to make any charge against that gentleman; but I must observe that the evidence which has been produced to-day, and which Lord Grey declared was perfectly satisfactory, was an

an *ex-parte* statement, which he could just as easily have procured had his case been, what I am very happy to believe it is not.

2439. Which part of the evidence do you mean to state was *ex parte*?—There was his own statement and the statement of his own attorney.

2440. And a statement of the Governor?—The Governor merely said that he was an agreeable gentleman-like young man, which I have no doubt he is.

2441. Is that the whole of the Governor's statement?—He said he was reputed to be skilled in the law, which he may be too for aught I know to the contrary.

2442. Do you know of any act of Mr. Craig, in his office of solicitor-general, which justifies any imputation upon him?—I have cast no imputation upon him whatever.

2443. Major *Blackall.*] Do not those documents which have been put in mention that at a public trial the outlawry was reversed?—The outlawry would be reversed by paying the debt, I suppose.

2444. Have you any doubt upon the subject?—No; I beg leave to say that I cast no imputation upon him. Those circumstances transpired in the colony, and were not publicly explained, and therefore I and the rest of the colony had a perfect right to conclude that the appointment was an improper one.

2445. Sir *J. Hogg.*] Did you obtain the copy of the outlawry from the colony?—No, I got it from England; I told a solicitor in London to go and see for it.

2446. Did you get it from the solicitor?—Yes.

2447. Did that solicitor tell you anything as to any subsequent proceedings; did he inform you when he gave you the copy that it had been set aside on a writ of error?—He told me that the outlawry had been reversed. I think I gave the date upon my former examination. I wish particularly to say, respecting those gentlemen to whom I have alluded, that I make no charge against them in their private capacities, nor do I make any charge against them except from the facts which are publicly recorded.

2448. Mr. *Hawes.*] With regard to the reforms in the law which had been introduced by Governor Light, were not they deemed of importance in the colony?—I think one of them is a very important one, namely, the alteration in the manner in which estates sold at public sales were paid for; but that I only learned from yourself.

2449. That is the reform of the registrar's office?—Yes.

2450. Have you never heard of the laws relating to the improvement of the criminal law?—I have not entered into those matters.

2451. Have you ever heard them complained of?—I have never talked about them.

2452. With regard to any improvement or reform in the constitution of Guiana, have you any observations which you wish to make to the Committee upon that subject?—I think the most necessary step to be taken is to give the Governor either a little more or a little less power that he at present possesses, so as to prevent a collision similar to that which has taken place between Sir Henry Light and the Legislature again taking place. The injury which has been done to the colony in consequence is very great, and that at a time when it could very ill bear it. If the Governor had been at the head of such a council as Lord Torrington is at the head of in Ceylon, such a thing could not have occurred. Therefore I would rather see the Governor absolute than see him possess the power which he now does, and which he describes as a power by which "he can place the colony in a worse position than it is by exhausting the treasury," if he is thwarted.

2453. That relates to the Combined Court, does not it?—That relates to the power which he has. If the Combined Court will not do what he wishes, he has the power of adjourning them *sine die*. The supplies cannot be then voted, and the present state of confusion ensues.

2454. Do you think that the ordinary form of colonial government, namely, a Governor with a Council and Assembly, would be an improvement?—I think there are many people who are much more competent to give an opinion upon that subject than I am. I appeal to Sir James Hogg to say how he thinks the affairs of India would be conducted, if they were conducted, in this country by a body of men of whom not one had ever been in India, and if the public ser-

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vants who went out were sent out without any particular qualification, except that of a desire for a good salary. Guiana is governed in that way.

2455. How would you remedy such an evil in the case of Guiana?—It is difficult to say off-hand. I think it might be done. In the first place, I would divide the work of the Colonial Office. The present Colonial Minister has well said that it is impossible for any man, no matter what his abilities may be, to legislate satisfactorily for colonists at the antipodes. I would endeavour to employ in the Colonial Office some men, I will not say all, but some men who were practically acquainted with the tropical colonies. I do not mean that you should have a man from every colony, but you should have a certain number who were personally acquainted with tropical affairs. I am sure if there had been a person in the Colonial Office who was practically acquainted with Trinidad and Guiana, those fatal results which we have witnessed with respect to the coolies would never have occurred.

2456. You would place in connexion with the Colonial Office a Board, or something of that kind, consisting of parties who have had personal experience in the colony?—If you had had a Board over here during the last three years which had been composed partly of colonists, and partly of gentlemen connected with the Colonial Office; for example, if Mr. Barkly and myself had been assisting you, I do not think you would have fallen into the many mistakes into which you have fallen.

2457. You think some such body interposed between the colonists and the Colonial Office; a body composed, at all events in some proportion, of men who have an actual knowledge and personal experience in the colonies, would be one way of improving the government of our colonial possessions?—I think it would, most decidedly. Take, for example, what has occurred during the last ten years. Your sole organ of communication with the colony of Guiana has been Sir Henry Light. Mr. Taylor is at the head of the Guiana department in the Colonial Office. We know that Mr. Taylor is a man of very great ability and very highly distinguished in literature, but we know that he has no personal knowledge of commerce, or of our West Indian colonies. Practically, therefore, I should feel very much distrust at any measures which were concocted by him upon information supplied by Sir Henry Light; not that I think Sir Henry would knowingly supply erroneous information, but I do not think, from his peculiar disposition and habits, he is qualified to afford very accurate or valuable information.

2458. Mr. *Wilson.*] Will you refer to the last two questions in your evidence of the first day: you were asked by the Chairman, "They were however compelled to accede to that increased civil list, by being told that they would not be allowed immigration if they declined providing adequately for the civil list; were they not?" In your reply you quote two despatches from Lord John Russell to Governor Light, in the latter part of the first of which despatches he states, "It must be left to your discretion to propose annually what amount of the public money shall be appropriated from the funds of the colony for the service of each year, to be applied to the purposes of immigration, in the manner pointed out in the accompanying draft; always however bearing in mind that you are not to be at liberty to sanction any such appropriation, unless adequate provision shall have been previously made on a civil list, for the various departments of the local civil government." Then again in the next answer you quote another despatch of Governor Light to Lord John Russell, in which it is stated, "I would also submit respectfully for your Lordship's consideration, that so soon as, by the settlement of the civil list, I may be empowered to cause an ordinance to be enacted sanctioning the application of public monies to the introduction of labourers, it would then be proper to enact" so and so; and you then come to the conclusion, "thereby intimating that till the civil list was settled he was not at liberty to sanction an ordinance for immigration"?—That is the inference which I draw from it.

2459. The import of the question was, that immigration would not be allowed unless the civil list were granted; you draw an inference that till the civil list was settled the immigration ordinance was not to be granted. I think you will see by referring again first to Lord John Russell's despatch, and then to Governor Light's despatch, that it is not that the immigration ordinance shall not be allowed, but that the appropriation of the public money for that purpose would not be allowed?—Yes, but an immigration ordinance without a loan would have been, to a certain degree, ineffectual.

2460. It

2460. It would appear by the question as originally put by the Chairman, and by the inference which you draw, that the reference was to immigration; by the two documents it is clear that it was not immigration *per se* which was referred to, but the application of the public monies?—With regard to two of the despatches that is so, but the third refers clearly to immigration. The boon which was held out to us in order to induce us to pass the civil list was no very great boon after all; it was merely a permission to spend our own revenues in the way which we thought would be most beneficial to ourselves; no loan from England was asked for.

2461. Sir *J. Hogg.*] From whence have you had labour since the abolition of the apprenticeship; you have had Portuguese labour from Madeira, coolies from India, and captured Africans; do those include all the descriptions of labour which you have had since the abolition of the slave trade?—There were also a good many islanders came down from the Bahamas.

2462. Which description of the labour I have mentioned have you found best in the colony?—There is no doubt the Africans are the best.

2463. In what degree; do you consider one African equal to two coolies?—I think certainly one imported African is equal to two imported coolies, because they do not suffer from disease, and they very soon settle down among the creole negroes, and adapt themselves more rapidly than the coolies to the circumstances of the colony.

2464. The physical strength of the coolies is very much inferior to that of the Africans?—The chief value of the coolie has been his docility.

2465. Generally speaking, the climate of Guiana has not agreed with coolies coming from India?—Governor Light has explained that it has agreed with some of them, but not with others, according to the parts of India from whence they came; but I think I may say that if we had access to the coast of Africa for labour, we should have no desire to return to India to procure it.

2466. The mortality among the coolies has been very great, has it not?—That is not to be attributed entirely to the climate.

2467. The mortality has been very great?—Yes, but I think that has occurred in consequence of their not being under proper rules and regulations.

2468. The destitution and distress has also been very great, but has been chiefly ascribed, I think, to the want of permanent locations?—I think so, and also it must be considered that a great many of the coolies sent over were of the very lowest class in India; that they swept the streets for them, almost.

2469. They were not fit for agriculture?—No; if you take townspeople and send them to an agricultural colony as labourers, you can easily conceive that they will be discontented; they will do bad work, and probably perish; and that was the case with a great many of the coolies we received.

2470. At present there is an ordinance in force enabling the colonists to go to the coast of Africa, excluding the old slave coast?—I am not sufficiently well acquainted with those ordinances to give evidence upon them, but I believe that is the case.

2471. Do you know, in point of fact, if any ordinance which has been passed has enabled the colonists to import African labour from the coast of Africa?—Certainly.

2472. Any except captured negroes?—They have been imported under licences which were granted by the Colonial Office; and I have heard parties who have obtained those licences express their dissatisfaction with them, but whether justly or not I cannot say. They have gone to the coast of Africa, they have been disappointed in getting cargoes, and they have thought that if they had not been bound by those licences to visit only certain spots of the coast, they would have got them.

2473. Practically, then, they have not been able to get African labour?—Very little, independently of captured Africans.

2474. Practically, they have been unable to obtain African labour, except the captured Africans and a few from Sierra Leone?—Very few.

2475. Is it your opinion that the great desideratum in British Guiana and in the West India colonies is African labour?—I think African labour is the only species of labour which it would be worth our while to import.

2476. Is it your opinion that the great desideratum of the colony would be to get African labour in such a way as would not incur the risk of a renewal of the slave trade?—I think it would be a very desirable thing, but then we must have stringent labour laws.

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2477. Are you able to state whether you think permission could be given to go to any part of the old slave coast for African labour, without incurring a risk of the renewal of the slave trade?—I think it is certain that when the negroes thus obtained are landed in the colonies, they will be well treated. In Governor Light's evidence he has not cast the slightest imputation against the planters of Guiana as being disposed to ill-treat the people; but whether such unlimited permission might not lead to abuses upon the coast of Africa, I cannot say.

2478. Have any of the Africans, to your knowledge, who have made money in Guiana, either returned to their own country or expressed a wish to return?—I believe a good many have returned to their own country, but there are official returns as to that fact.

2479. Do you think, if as free access to the African coast was given as was consistent with avoiding a renewal of the slave trade, a stream of immigration might be kept up by the return of Africans to their own country after they have made money in the West India colonies, giving a good report to those in Africa?—I think it would be an attempt worth making; it would be highly advantageous to the colonists if it could be effected.

2480. Do you doubt that those negroes would be disposed to return to Africa?—I have doubts upon that subject, but I think rather unfair inferences are derived from what takes place at Sierra Leone. A slaver is captured and sent there, the negroes are landed in the Queen's yard, and when a vessel comes from the West Indies to ship emigrants, it is left to their option as to whether they will embark or not. Those poor wretches, who do not know where they are, who are just off a severe voyage, are very reluctant to go on board ship again. I submit that such option should not be allowed them, because if they were landed in St. Helena, or on the most barren rock in the ocean, their answer would be the same. Therefore I think that, knowing the position that they will be placed in when they reach the West Indies, it would be right that no option should be given them, and that they should be re-embarked when their health permitted, and sent to one or other of our colonies; or if the point of their capture suited, that they should immediately proceed to our colonies, instead of going to Sierra Leone at all.

2481. If that system could be introduced, of importing Africans, and inducing their return to their own country after they had made some money, thereby keeping up a stream of immigration, do not you think that would be the best mode of supplying labour, and also of civilizing Africa?—I cannot conceive any objections which can be alleged against it, excepting that our sending vessels to ship them on the coast would probably give rise to imputations against England from other nations, that we were renewing the slave trade.

2482. That is, if they went to the slave coast?—If they went to the slave coast; but I do not think there would be any fear of abuses taking place in the West Indies.

2483. The danger would be what would take place in the interior of Africa, not what would take place among the planters?—Precisely so.

2484. Mr. *Hume.*] You were asked some questions respecting the difference between Sir Henry Macleod's ordinance and that which was afterwards sanctioned; you stated that one was agreeable to the colony, but that after the alteration the colony was in constant hot water with the Governor; had the first ordinance, as sent out by Sir Henry Macleod, met with the approbation of the colony?—I imagine that it had; but I do not mean that the colony was in constant hot water with the Governor in consequence of that ordinance, nor do I think I said so. I said that, in consequence of the colonists being in perpetual hot water with the Governor, the Governor had it in his power to annoy them very much by the second ordinance, which he would not have had it in his power to do by the first.

2485. Will you look at the instructions to Governor Barkly, and read the fifth paragraph of those instructions?—"And whereas we have, by our said Commission, given and granted unto you full power and authority, with the advice and consent of the said Court of Policy of our said colony of British Guiana, to make, enact, ordain and establish laws for the order, peace, and good government of our said colony; subject, nevertheless, to all such rules and regulations as by your said general instructions we have prescribed in that behalf;

behalf: now we do hereby direct that no law or ordinance shall be enacted for any purpose, which shall not have been by you first proposed to be enacted by the said Court of Policy."

2486. Do you understand from that that the Court of Policy could not introduce any subject connected with the appropriation of funds for the purpose of immigration, unless the Governor thought proper?—I understand that from the amended ordinance which was sent out in 1842; but I had not observed this passage in the instructions to Governor Barkly till the Honourable Member called my attention to it.

2487. That is in accordance with what was understood to be the rule in the colony at the time?—That was not certainly in accordance with the first ordinance assented to by Sir Henry Macleod.

2488. Mr. *Hawes.*] In what respect?—The first ordinance assented to by Sir Henry Macleod gave the Governor and the Combined Court together the power of making any proposal as to the application of funds for immigration.

2489. That was precisely the objection taken to it?—Yes.

2490. Mr. *Hume.*] You were asked a question respecting the state of labour at the time you were in the colony. You stated that some person had attended upon your estate and read an address. What was the nature of that address, and who read it?—It was on Thursday the 31st of January 1839. The following is an extract from my journal: "Mr. Mure, the stipendiary magistrate, came to read the Governor's proclamation, lauding the negroes for their good conduct. It was a long-winded affair, but I am convinced not one negro in the colony could understand the drift of it. Few of them came up to listen to it, but none of them had the patience to hear it out, though Mr. Mure read it skipping alternate paragraphs."

2491. Do you mean that at the time when your labourers had struck, the Governor sent a person to praise them for their conduct?—The Governor did not know it. The Governor sent a circular to the various magistrates to be read upon the estates, and it so happened that the magistrate came to my labourers at the time they had struck.

2492. Mr. *Adderley.*] Do you believe that the appointment of Mr. Barkly has been acceptable to the colonists?—I think it has; they have a very high opinion of Mr. Barkly, and I think that his appointment has been acceptable to them.

2493. Can you say whether he has been empowered by the Secretary of State to make any concessions to the colonists on the subject of the civil list?—I have seen a newspaper containing his address, from which I gather that he has not been empowered to make any concessions to them upon that subject, and I think Lord John Russell's answer to Mr. Baillie in the House of Commons last night corroborates what the newspaper states.

2494. What do you suppose to be the view which the colonists take of Mr. Barkly's appointment?—I think the colonists were generally satisfied with Mr. Barkly's appointment, always supposing he came out there with power to make concessions to them regarding the civil list; but I think, considering the opinions which he had always maintained in Parliament, and the attacks which he had made on the conduct of the Colonial Office, and upon the conduct of the Ministry last year with respect to the West Indians, that if he has gone out there without the power of making such concessions he will be regarded with great suspicion by the colonists, and very justly so. I have, however, too good an opinion of Mr. Barkly to suppose that, after having expressed himself so decidedly against the way in which the colony had been dealt with by the Colonial Office, he has accepted the office of Governor to carry out the views of the Ministry which he had so loudly denounced.

2495. Did not Lord Grey, in the despatch which announced the appointment of Mr. Barkly, say that he trusted that that gentleman, from the part he had taken in Parliament, would enjoy the confidence of the colonists?—Lord Grey claims the confidence of the colonists for him on the plea that Mr. Barkly had opposed almost every proposition which the Ministry to which he (Lord Grey) belonged had brought forward, and that in very plain terms.

2496. Will you read the despatch announcing the appointment of Mr. Barkly?—"I have thought it better to endeavour to effect an amicable arrangement of the unfortunate differences which have arisen; and, with that view, I have recommended to Her Majesty, for the vacant office of Governor,

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Mr. Barkly, the Member for Leominster, a gentleman, who from the stake he has in the colony, and from the part he has taken in Parliament on all subjects relating to the West Indies, will, I trust, be regarded with confidence by the colonists, and whose appointment I hope will be accepted by them as a proof of the earnest desire of Her Majesty's Government to adopt a conciliatory course towards them, and to omit nothing which, consistently with our public duty, it is in our power to do, in order, if possible, to put an end to the present differences."

2497. Are you acquainted with the evidence which Mr. Barkly gave before the Sugar and Coffee Planting Committee?—Yes, I have read it over very carefully.

2498. You are aware of his opinions upon the 10*s.* protective duty which was proposed?—I am aware that Mr. Barkly considered that a small "duty for a short" period would suffice, but I am also aware that he described in his place in Parliament the measure which Her Majesty's Government did adopt as a "tinkering up" of the Bill of 1846; he stated that everything depended upon the Colonial Office as to whether they gave the colonists encouragement by proper laws to suppress vagrancy and squatting, and he voted on all occasions against Ministers on West India matters during the Session of 1848.

Martis, 17° *die Aprilis*, 1849.

MEMBERS PRESENT.

Mr. Hawes.	Sir Joshua Walmsley.
Sir James Hogg.	Mr. Stuart Wortley.
Mr. Gladstone.	Mr. C. Villiers.
Mr. Wilson.	Lord Hotham.
Major Blackall.	Mr. Adderley.
Mr. Hume.	Mr. M'Cullagh.

HENRY JAMES BAILLIE, Esq. IN THE CHAIR.

William Henry Holmes, Esq. called in; and Examined.

W. H. Holmes.

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2499. Mr. *Hawes.*] WHAT office do you hold in the colony of British Guiana?—Provost-marshal.

2500. How long have you held that office?—Since April 1847.

2501. Who appointed you to that office?—Lord Grey.

2502. Who was Governor at the time you were appointed?—Sir Henry Light.

2503. You were recommended by him to Lord Grey?—Not for that particular office; Mr. Hammill resigned, and upon his resignation I was recommended by Lord Grey.

2504. To the Governor?—Yes, to Sir Henry Light.

2505. Will you refer to Question 1932, in which you will perceive that the witness then under examination adverts to the appointment of certain aides-de-camp by Governor Light; and it is there stated, "Those gentlemen whom he appointed had been, I believe, the aides-de-camp of his predecessor, who was the officer commanding the troops, and who had succeeded to the command of the colony in consequence of the death of Sir Carmichael Smith. One of those gentlemen was a clerk in a bank in George Town; another was what they call a town agent, that is, a person who ships the sugar for the planters who have their estates in the country, and send it up in schooners; another was a merchant in George Town; they were not planters; they were not practical men. By those men he was surrounded, I believe, more or less, during the whole time he was in the colony; and I think it was in consequence of the representations which those men made to him that he was generally deceived in the representations which he sent home to the Colonial Office. All of them speculated very largely

largely in estates, having no money whatever; every one of them failed, and I think that most of them have been provided for by Governor Light in the public service of the colony subsequently." Have you any information to give to the Committee upon that subject?—It is stated that all of those gentlemen speculated very largely in estates; the fact is, that there were eight aides-de-camp at different times appointed by Sir Henry Light; and all of them did not speculate in estates.

2506. Of these eight how many did not?—I have a list of them here. Mr. Shepherd, the registrar of Berbice, left shortly after Sir Henry Light's arrival; he did not speculate. Mr. Forrester, who was appointed by Sir Carmichael Smith, did not speculate in estates. Mr. Holmes was a proprietor of an estate at the time he was appointed. Mr. Bagot did speculate in estates. Mr. Carberry was an owner of an estate when he was appointed aide-de-camp. Mr. Goodman did speculate in estates. Mr. Henry did not speculate; he inherited an estate, which he holds at this moment. Sir Robert Schomberg was appointed when he went to the Brazils; he was the celebrated traveller.

2507. Did he hold estates?—Never. I think out of the eight, two of those gentlemen had estates when they were appointed, and two bought estates. It is said that most of them were appointed to the public service. Of the eight only one was appointed to the public service, that was Mr. Carberry; and when he became insolvent he was dismissed by the then Secretary of State.

2508. *Chairman.*] Is not Mr. Goodman in the public service?—Not appointed by Sir Henry Light. He was appointed by Governor Walker when Sir Henry Light left British Guiana.

2509. Mr. *Hawes.*] The office of aide-de-camp is not one of emolument, is it?—It is part of the staff of the militia, which, in the year 1838, upon the emancipation, was put in abeyance; and as those gentlemen were all militia officers besides being aides-de-camp, they remained upon the staff of the militia. Of those eight, not above three, I think, have been in Sir Henry Light's house for the last five years, to my knowledge, at least as aides-de-camp.

2510. Are there any public duties assigned to them?—None whatever since the abeyance of the militia. They attended dinner parties, and at the opening of the Court of Policy, and so on.

2511. Then their office is without any emolument, and without any public duty attached to it?—It is a perfect sinecure.

2512. It is stated that they have failed, can you give the Committee any information upon that point?—Mr. Shepherd never failed, nor Mr. Forrester. Mr. Holmes did, and Mr. Bagot and Mr. Carberry did. Mr. Goodman has never actually failed. Mr. Henry never failed. Sir Robert Schomberg never failed.

2513. Mr. *Hume.*] When did Mr. Shepherd leave the colony?—In 1839, I think. Mr. Goodman was recommended by Colonel Everett. He was the son of General Goodman (an old Peninsular officer), and assistant adjutant-general of the militia. He was not merely a clerk in the bank.

2514. Mr. *Gladstone.*] He was a clerk in the bank, but he was also assistant adjutant-general of militia?—Yes.

2515. Mr. *Hume.*] Was either of them a town agent?—Yes, Mr. Carberry had been a town agent at one time.

2516. Had he any duty connected with the shipping of produce?—The town agent's duty is connected with the produce; his duty is to receive the produce from the estates, and to ship it, and write letters to the correspondents.

2517. Then that part of the statement is correct?—Yes.

2518. Mr. Holmes is stated to have been a merchant in George Town, is that correct?—Yes.

2519. Were those gentlemen planters?—They were proprietors of estates at that moment.

2520. Did they manage their estates; were they practical men?—They were practical men.

2521. Were they resident on their estates?—One of them was.

2522. You have stated that they were both employed as town agents?—Mr. Carberry resided on Plantation Thomas, I think; he bought an estate in 1838 or 1839. I may be mistaken as to the exact date, but he lived on Plantation Thomas after he bought the estate, and from that estate conducted his business in town; he lived on the estate, and conducted his business in town.

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2523. Are the Committee to understand that it is the duty of these men, whom you have now alluded to, to attend at the Governor's dinner parties?—They were asked to attend by Governor Light, or to accompany him to the Court of Policy on any public occasions.

2524. Mr. *Gladstone.*] It would be obvious for Sir Henry Light to select for the office of aide-de-camp persons resident in George Town, I presume?—Yes, it suited best; he did select some in Berbice; Mr. Shepherd and Mr. Henry were residing in Berbice.

2525. Did they officiate when he went to Berbice?—They officiated when he went to Berbice.

2526. Mr. *Hawes.*] Will you turn to question 1949; it is there stated that the following question was asked Sir Henry Light, "Was not Mr. Bagot the acting registrar of the court when he purchased the estate? He was. Was it not his duty to receive proper securities for the payment of the money? I dare say it was; but the fact was, that all the public officers bought estates, and the Governor never interfered." Have you any remarks to make upon that statement?—It was not Mr. Bagot's duty to receive the securities; it was the duty of the provost-marshal of the time, who gives security for his office, and is held responsible for the securities which he takes. I do not know why it is stated that all the public officers bought estates; I suppose that was said in a hurry. All of them did not, but a very small fraction of the public officers bought estates.

2527. With respect to the interference of the Governor, what power had he of interfering in the event of any abuse being discovered?—Not the slightest power in the world; no more than the Chancellor of the Exchequer had.

2528. Will you state your reasons for that assertion?—In the first instance you buy an estate on the estate itself, which is very often 40 miles from George Town. The registrar and the provost-marshal go there as the officers who attend at the sale of the estate, and the securities are given by the purchaser to the satisfaction of the provost-marshal, in the presence of the registrar, but only in his presence.

2529. *Chairman.*] Do you say that the registrar is not also responsible for the bills being good?—The bills are quite a different transaction; you take the names of three or four planters, and the bills are handed to the registrar, he merely receives them.

2530. It is his duty to see that they are good bills, is it not?—I do not think he has anything to do with it. Sir Henry Light reformed the law before I was provost-marshal, therefore I cannot speak so positively upon that point as I could otherwise have done.

2531. If you cannot speak positively to it, you should not assert that it is not the duty of the registrar to see that the bills are good?—The registrar merely receives the bills. There is a gentleman who will succeed me, who will give the Committee the fullest information upon all those legal points.

2532. Who is that?—Mr. Downey, one of the judges. I believe he is summoned. I know, however, sufficient of the law to know that the provost-marshal alone is responsible for the securities.

2533. Sir *J. Hogg.*] Did you ever know an instance of the provost-marshal ever having been held personally responsible and paying the money when the securities failed?—I know an instance in which the provost-marshal was held responsible; I cannot say exactly upon what grounds it was; he was sued in British Guiana for the purchase-money of an estate which was purchased at an execution sale, for which he was responsible; what the result was I do not know.

2534. Mr. *S. Wortley.*] When you say that the provost is responsible for the securities, what do you mean by that?—I believe under the old system he might be held responsible for the balance of the purchase-money if the securities proved insufficient.

2535. What do you mean by securities?—When a party buys an estate he gives in two names who are supposed to be solvent people; if the purchase-money is not paid up the estate is resold, and then they come down upon the securities; and if the securities are insufficient, I believe under the old manner of proceeding, the provost-marshal was liable.

2536. By securities you mean the sureties, and not any instrument, such as the

the bills of exchange which are given?—I cannot explain the proceeding as to bills of exchange; it was a very complicated matter.

2537. What you mean by securities is the sureties?—Personal sureties.

2538. Is that the case at present?—The practice is quite altered; an estate is purchased now by instalments in three, six, nine, and twelve months.

2539. How do you mean by instalments?—You pay the money in three, six, nine, or twelve months, and if you fail in the first instalment the estate is sold again instantly; if there should be a deficiency upon the estate you come upon the sureties, and eventually upon the provost-marshal.

2540. In the event of any one of the instalments being unpaid?—Yes.

2541. Was that plan adopted in consequence of any losses that were sustained under the old system?—It was a measure introduced by Sir Henry Light very early in his administration, on account of the practice of buying estates at indefinite periods.

2542. And of lodging bills of exchange instead of money?—Yes.

2543. Sir *J. Hogg.*] Are you speaking of sales under execution?—Yes.

2544. Was not it usual to pay the deposit money down upon such sales?—Under the old system you merely paid the marshal's fees and the other fees of the public offices, the church and the poor fund; you paid no actual money down, I believe. I speak under correction, because it is a long time ago. I only know, as having come into the office subsequently, that it was the old practice of the office.

2545. At the time you are speaking of, what was the mode of regulating private sales; when an estate was sold privately, was it usual to receive the purchase-money in bills payable at three, six, nine, and twelve months, or was it usual to pay down the whole, or any, and what part of the purchase-money?—I think at private sales the plan adopted was to pay so much down; for instance, if you bought an estate for 20,000 *l.* you paid 5,000 *l.* down, and the rest was most likely payable in 15 or 20 years, with interest at six per cent.; and if a merchant sold, he generally got the consignments to boot.

2546. Mr. *Villiers.*] Was that the uniform practice?—No, it varied according to circumstances.

2547. According to the discretion of the parties?—Yes; I am now speaking of private sales.

2548. Sir *J. Walmsley.*] Is the provost-marshal now liable for the payments in default of the sureties?—I should think so; the estate is liable to be resold after each instalment, therefore the risk is very much lessened.

2549. In case of the default of the sureties, would the provost-marshal be liable?—He might eventually be made liable, I should think.

2550. Sir *J. Hogg.*] How is the provost-marshal remunerated, by fees or by salary?—By fees, dependent upon amount of business done by the office.

2551. What is the amount of the per-centage of his fees upon any purchase at a public execution sale?—He is paid by fees, for each citation so much, and each sale so much.

2552. What is the payment for an examination into the adequacy of sureties?—Our per-centage upon the sale of all property, whether movable or immovable, under 2,000 dollars is three per cent., under 5,000 dollars 2 ½ per cent., from 5,000 to 10,000 dollars 2 per cent., from 10,000 to 20,000 1 ½ per cent., 20,000 and upwards one per cent.

2553. Those fees include the payment for the trouble or responsibility, if there be any, in inquiring into the fitness of the sureties?—Yes, that is the only payment.

2554. What was the average annual amount of those fees in your time?—I should think from 5,000 to 6,000 dollars; the onus of the office is entirely thrown upon the provost-marshal, he is desired to work the office to the best of his ability. He is desired to do certain public duties gratis, therefore the residue of the Marshal's Office becomes his emolument. I can only state what it has been during my time.

2555. What was the average annual amount?—From 5,000 to 6,000 dollars.

2556. How many years have you held the office?—I was appointed in 1847; I have held the office two years.

2557. Was there no salary attached to the office?—None whatever.

2558. *Chairman.*] Does the provost-marshal find sureties himself?—Yes, he gives security for 6,000 *l.*; himself in 4,000 *l.* and two sureties in 2,000 *l.*

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2559. Sir *J. Hogg.*] Is there any money left in the hands of the provost-marshal?—Occasionally there is.

2560. And that security which he gives is a guarantee for the due payment of the money in his hands?—It is a general guarantee to the public.

2561. Mr. *S. Wortley.*] Does the purchase-money for estates pass through his hands?—Yes; but he is obliged to deposit it in court, according to the "manner of proceeding."

2562. For a certain number of days it is in his hands?—It is not above a week that it can remain in his hands.

2563. Mr. *Hawes.*] That is under the new regulation?—Yes.

2564. Sir *J. Walmsley.*] In your case, has there been any complaint whatever of deficiencies?—No.

2565. Have there been any defalcations?—No.

2566. But you would consider yourself liable in case of the non-payment by the sureties?—It is hardly possible that such a case should arise; the estate would not be sold so much under its value that its price would not cover the first instalment; each instalment comes by itself, and after each instalment you can recover yourself; you take care, at least I should take care, to have two solvent men that I could be sure would make up the deficiency, which the law entitles me to have. I have the power of refusing any names which I do not think proper, and for my own security I should refuse any man whom I thought not to be good for the amount.

2567. Lord *Hotham.*] Are the instalments due quarterly?—Yes.

2568. In the event of the estate being resold in consequence of the non-payment of the second instalment, for instance, is the money which has been paid returned?—No.

2569. He forfeits it, does he?—Yes.

2570. Sir *J. Walmsley.*] You have stated that in the case of the non-payment of the first instalment, upon the expiration of three months you proceed to a resale?—Yes.

2571. In case of there being a deficiency upon the resale, what course should you take?—Then I have the principal and the two securities to come on, and after that I might be held liable myself; I think I should be held liable.

2572. Mr. *S. Wortley.*] When you speak of your liability, do you advert to any specific provision in reference to that liability?—I think by the provost-marshal's ordinance I am made responsible; this is the Ordinance, No. 29, British Guiana, 1847: "And be it enacted, that the provost-marshal shall be responsible and liable for all losses, damages, costs, charges, and expenses which shall have been had and suffered, or which may be had and suffered by any person from or by reason of any irregularity, informality, omission, or neglect of duty by or on the part of himself or of any ordinary marshal, or other person by him employed; and shall and may be sued at law in such manner and form as may be applicable to the circumstances of the case, for the recovery of any such losses, damages, costs, charges, and expenses." I give a bond besides for 6,000*l.*, which is a very stringent bond.

2573. Mr. *S. Wortley.*] That is only for the performance of your duties, is it?—And for the due care of the money which may be in my hands.

2574. You would not be responsible, would you, for the sufficiency of the securities unless you neglected your duty and negligently selected them?—Exactly so.

2575. Was it under the old system or the more recent one that those gentlemen of whom you have spoken speculated in land?—Under the old system; they could not do so under the new.

2576. Sir *J. Walmsley.*] From the paper you have read, it would appear that you do not consider yourself liable for any moneys which have not passed through your hands?—I consider I am liable in the case of a non-fulfilment of the contract, because I should be guilty of negligence in not having taken proper security.

2577. You consider that you would be liable in that case?—I consider that I should be liable; I think I should be made liable.

2578. But you do not know an instance of any provost-marshal having been made liable?—Yes; Mr. Hammill was sued, but what the result of that suit was I am not aware at this instant.

2579. That

2579. That was under the previous law?—Yes.

2580. Mr. *Hawes.*] Will you turn to Question 2025, you will see in the answer to it a long statement, and the remark is, that the statement preceding "bears out the Governor's statement, that most of the public officers bought estates at the time, and by the management which he has described, and dexterous litigation, contrived not to pay for them." How far is that correct that most of the public officers bought estates and contrived not to pay for them?—A very small fraction of the public officers own estates.

2581. Is it the fact or not that most of the public officers bought estates, and by dexterous litigation contrived not to pay for them?—It is incorrect.

2582. Speaking generally of the public officers, is it correct?—No; I am trying to recollect if any one of the public officers bought estates in that way; I do not think any one, with the exception of Mr. Carberry, bought an estate which he did not pay for.

2583. *Chairman.*] Then when the Governor stated that all the public officers bought estates, he stated what was not correct, did he?—I think that that is incorrect.

2584. Do you know it to be incorrect?—I think Governor Light made that statement in a hurry; I know it is not correct that all of them bought estates.

2585. Mr. *Hawes.*] Question 568 to Sir Henry Light is this, "Was not it his duty to receive proper securities for the payment of the money?" The answer is, "I dare say it was, but the fact was that all the public officers bought estates, and the Governor never interfered"?—I think Governor Light meant that he never interfered when any public officer did buy an estate.

2586. How far is it true that "all the public officers bought estates at the time, and, by means of dexterous litigation, contrived not to pay for them"?—I know of no public officer who bought estates in British Guiana.

2587. Except the cases you have referred to, of Mr. Carberry and Mr. Bagot?—Yes; and Mr. Bagot lost his situation.

2588. In consequence of what?—Owing to a variety of circumstances which were brought on by the purchase of the estate.

2589. A purchase while he was registrar?—Yes.

2590. Mr. *Villiers.*] Are the Committee to understand that you must have known it if any of those officers had bought estates, and had not paid for them?—I think I should have known it; I have been 14 years in British Guiana.

2591. You are only speaking from report; you have not the means of ascertaining that fact which you have now stated?—I know they did not buy estates; there may be one or two public officers who may have estates there; the high sheriff has an estate.

2592. Mr. *Hawes.*] Will you turn to Question 2098: it is there stated that the patronage of the Governor confers great influence upon his office, and that the amount of the salaries within his gift would be between 50,000 *l.* and 60,000 *l.* a year; have you any remark to make upon that?—I think the amount of the patronage is very much overstated, as far as I am aware.

2593. To what extent do you think it overstated?—I think it is considerably overstated.

2594. Mr. *Hume.*] Do you know the amount of pay attached to those offices?—If I were to put them down and enumerate them, I might be able to state the amount. I know that the whole amount paid in salaries is 80,000 *l.* a year; and a great portion of those salaries is not under the Governor; his own salary is not, for instance.

2595. Are you aware that the Governor has stated that all those offices were in his gift; that is to say, that he recommended appointments to them to the Colonial Office, and that the Colonial Office accepted them?—I heard the Governor say so.

2596. Do you mean to say that the Governor stated that which is not correct?—No; but I think the amount is overstated.

2597. Mr. *Hawes.*] You think the statement is an over-estimate of the amount of the patronage?—Yes.

2598. Mr. *S. Wortley.*] Do you mean that the amount over which the Governor has the virtual patronage is overstated, or the amount to which he has the actual appointment?—I think that all the officers in British Guiana together do not draw 60,000 *l.* a year, exclusive of the Governor, the Judges, and clergy.

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2599. Do you mean exclusive of the civil list?—I should hardly think so; the clergy are not under the Governor, for example.

2600. Mr. *Hawes.*] All of the appointments are not in the hands of the Governor?—The appointment of the clergy is not vested in the Governor; the stipendiary magistrates are not always in the appointment of the Governor.

2601. Is there not some patronage in the hands of the local authorities?—There is very little in the hands of the local authorities. Many of those parties were appointed before Sir Henry Light's time.

2602. Mr. *Hume.*] Are any of them within the appointment of the Court of Policy?—I think only one or two.

2603. Mr. *Hawes.*] From your knowledge of the colony, what should you say is the opinion of the residents there as to the advantage of the patronage being vested generally in the hands of the Governor, or left entirely to the Secretary of State at home?—I should think the colonists would much rather have the patronage in the hands of the Governor. Sir Henry Light, for instance, never appointed anybody but a colonist; he never brought a friend or relation to Guiana, and never appointed any one but men whom he found upon the spot to situations in Guiana; so that I think they would wish it to be left in the hands of the Governor.

2604. Did he ever appoint men whose opinions were in known opposition to his own?—Many. The office of administrator-general, the best situation there, was given to Mr. Kennedy, who was not a supporter of the Governor.

2605. Mr. *Hume.*] What are the duties of administrator-general?—The administrator-general is something analogous to the Chancellor here; unadministered and unrepresented estates fall into his hands; the care of orphans, lunatics, &c.

2606. Is he a law officer?—No.

2607. Is he a lawyer?—Yes.

2608. Has he any other power but that of managing estates?—He has a great many powers; every unadministered estate falls into his hands; consignments which are not represented fall into his hands.

2609. Mr. *Hawes.*] From your knowledge of the proceedings of the Court of Policy, can private members ask leave to bring in a bill?—They can.

2610. Have they done so?—Frequently.

2611. *Chairman.*] Does it depend upon the Governor whether they shall bring it in or not?—They have to ask his permission, I believe.

2612. Mr. *Hawes.*] That is a formal request, is not it?—Generally, I believe, it is.

2613. Mr. *Hume.*] Have you ever been a member of the Court of Policy?—No.

2614. Mr. *Hawes.*] I understand you to say that private members have introduced bills?—They have, with permission, in many instances.

2615. Mr. *S. Wortley.*] The Governor has the power of putting his veto upon such a step, has not he?—He can refuse to put the question.

2616. Sir *J. Walmsley.*] Is the appointment of the provost-marshal with the Governor?—He names to every office which is vacant in the colony, subject to confirmation at home.

2617. *Chairman.*] By whom are the duties discharged during your absence?—By a Mr. Turton, the acting provost-marshal.

2618. Is he a man of sufficient ability and experience to protect the colonists from suffering detriment by your absence?—I think he is; he has been a long time in the office.

2619. Mr. *Hume.*] What situation has he held?—That of ordinary marshal.

2620. *Chairman.*] You were perfectly new to the duties of the office when you were appointed, were not you?—I was.

2621. And after a year's tenure of office you came home to this country?—I did, on leave. I had been 10 years in British Guiana on a stretch, though not in office; six or eight I have been in the public service.

2622. When so many estates have been brought to sale, I suppose there are great and important responsibilities attached to the office, are there not, especially that of judging of the solvency of securities, and so on?—Nothing extraordinary, I think; nothing more than usual. There are more estates sold, but they are not so valuable as they used to be.

2623. You stated that the securities you gave amounted to 6,000 *l.*?—Yes.

2624. £. 4,000 being your own bond?—Yes.

2625. Does your present deputy enter into securities, or are you answerable for his acts?—He has given his own securities.

2626. Major *Blackall.*] To whom did he give them?—To the colony.

2627. *Chairman.*] Who accepts that security?— Nominally, the Governor; but, in reality, the Crown officers.

2628. Is not the Governor, by the new Act, called upon to decide upon the validity of the security?—Nominally, he is, but it is always referred to the Crown officers; in my case it was referred to the Crown officers.

2629. Who do you mean by the Crown officers?—The attorney and solicitor-general; I might say the attorney-general.

2630. What did you state was the amount which you received during the year 1845?—Between 5,000 and 6,000 dollars; between 1,000 *l.* and 1,100 *l.*

2631. Before your appointment to the office of provost-marshal you were secretary to the Governor, were not you?—I was.

2632. When were you appointed secretary?—I think it was early in 1843, or at the end of 1842.

2633. You were also for some time acting immigration agent, were not you?—No, never.

2634. Before your appointment you were in business in the colony?—I was.

2635. What was the nature of your business; you were not a planter, were you?—No; I had a wood-cutting establishment there.

2636. Did you fail?—I did not fail; I gave up the business.

2637. Did you fail in business at any subsequent period?— I did not fail in business.

2638. Were you insolvent or bankrupt?—Neither; I may have been insolvent, but I was never declared so in any way; my circumstances never became public.

2639. Did you ever make a composition with your creditors?—I did.

2640. What amount of dividend did you pay your creditors?—I had my name upon a great number of bills as the indorser, which I was not concerned in, and consequently my debts became of a very large nature; I was only enabled to pay five per cent, but I got a complete acquittance from every creditor in the colony; and I think if any of them were questioned they would bear out what I now state.

2641. Sir *J. Hogg.*] Did you upon that payment get a discharge from every creditor in the colony?—I did; I have been six years in the public service out of business, and my debts were contracted when a very young man.

2642. When did you enter into that compromise?—Previous to my becoming provost-marshal.

2643. How long before?—Some time before. I was a long time engaged in making the compromise; my compromise was not completed till 1847.

2644. *Chairman.*] And in that year you were appointed?—Yes; I would not accept the provost-marshalship till I had obtained my acquittance and discharge from all my creditors.

2645. When you had completed your arrangements with your creditors you were appointed provost-marshal?—I was offered the place of provost-marshal; I did not accept it till I had completed the arrangements which I had then under weigh.

2646. When you had completed your arrangements you got your appointment?—Yes.

2647. Was the Governor aware when he appointed you provost-marshal, that you had just carried out an arrangement with your creditors?—Sir Henry Light did not appoint me provost-marshal; he nominally appointed me, but I came out from home; a copy of the despatch was sent to me; Sir Henry Light was aware of my circumstances.

2648. Were not you recommended by Sir Henry Light to the Colonial Office?—Not to be provost-marshal; Mr. Hammill was at home, who held the office; another gentleman had conducted it for him; he was suspended, and on his suspension Sir Henry Light appointed another person, not me, to the office: on this

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this taking place Mr. Hammill resigned at home, and then the Secretary of State sent out to offer the situation to me.

2649. Mr. *Hawes.*] How was your case brought before the Secretary of State?—I was recommended both at home and by Sir Henry Light.

2650. By whom were you recommended?—By Mr. Ponsonby.

2651. *Chairman.*] You stated that the Governor was aware of the arrangement with your creditors before you got your appointment?—I informed the Governor before I accepted the office, that I had made an arrangement with all my creditors.

2652. Mr. *Gladstone.*] Are you aware for what office Sir Henry Light recommended you?—I do not think he recommended me for any particular office; he recommended me generally, as having served as private secretary for five or six years.

2653. Mr. *Hawes.*] Sometime previous to your appointment?—Yes.

2654. Sir *J. Hogg.*] I understand you to say that you were private secretary to Sir Henry Light for five or six years?—Yes.

2655. *Chairman.*] Sir Henry Light then was aware of your arrangement with your creditors when he accepted your security for 4,000*l.*?—Sir Henry Light, I think, did not know anything about it; he left it to the law officers of the Crown.

2656. Has the Governor nothing whatever to say to the security?—He refers it to the law officers of the Crown.

2657. Will you read the ordinance which regulates and prescribes the manner in which such security shall be given?—"Be it enacted, that the provost-marshal shall enter into and execute a bond or obligation, in writing, binding himself in the sum of 4,000*l.* sterling, and shall give two sureties, who, under renunciation of the exceptions or pleas termed *ordinis seu excussionis te divisionis*, shall bind themselves jointly and severally, in the sum of 2,000*l.* sterling, to and in favour of Her Majesty, her heirs and successors, for, and on his behalf, conditioned for the true and faithful performance by the said provost-marshal of the duties of his office, and for his accounting for the due payments, dispositions, and appropriation of all such sum or sums of money as shall have been and shall be received by him as provost-marshal; and such bond or obligation shall be approved by the Governor, and such bond or obligation shall be a charge on the property, movable and immovable, of each of the persons so executing the same, from the date thereof, until duly paid off and the bond discharged."

2658. Then it is the Governor's duty to see to the security?—It is.

2659. Mr. *Hawes.*] What is the practice?—The practice is, that it is always referred to the law officers of the Crown as the most competent men.

2660. Mr. *Hume.*] You stated that a great many estates are now under sale; what amount of money at any time has been in your charge before you paid it over to the court?—I do not exactly recollect; there was generally between 6,000 and 7,000 dollars in my hands. Sometimes I had an instalment for a week, but I was obliged to lodge it in court within a certain time.

2661. Sir *J. Walmsley.*] Will you inform the Committee what are the duties of the provost-marshal?—He is the executive officer of the courts of justice; for instance, all citations go through his hands; arrests and everything of that kind go through the hands of the provost-marshal.

2662. What are the duties of the ordinary marshal?—He is only the assistant of the provost-marshal.

2663. What are the duties of the registrar?—His duties are to register down the proceedings he takes in the courts of justice.

2664. You stated that the registrar attended to the sale of estates?—He is the witness to the sale of estates; that duty is always done by the registrar or one of his subordinates.

2665. Does he take any part in the securities which are given?—Not now.

2666. He did formerly, did he?—I do not think he did.

2667. Could the duties of provost-marshal be properly performed by the registrar?—No.

2668. What would be the difficulty?—The provost-marshal is the sole executive officer of the courts of justice, and he has a very large share of business to do; the registrar has the registering and recording of all public documents.

2669. Are the duties of the provost-marshal very onerous?—They are very onerous;

onerous; every suit that comes before the court must necessarily pass through his hands, in every form, I may say; he has the summoning of the jurors and the witnesses for the criminal court, and he attends the courts of justice.

2670. Is the salary of the ordinary marshal paid by fees as well as that of the provost-marshal?—No, it is paid by the provost-marshal.

2671. What salary is allowed to the ordinary marshal?—Various amounts, depending upon his position in the office; the junior officers get so much; they get paid by degrees, and the senior provost-marshal gets a comparatively large salary, but he has a very considerable degree of responsibility.

2672. What do you mean by a large salary?—When I get 1,000*l.* he gets 700*l.*

2673. What is the amount of the remuneration to the ordinary marshal; you have stated your own to be from 5,000 to 6,000 dollars?—The next marshal gets 700*l.* a year; the one below him would only get 300 *l.* a year, and so down to 200*l.* a year and 100*l.*

2674. When we see placed opposite the name of the ordinary marshal 200*l.* a year, that is not correct?—That is the old amount; that has been altered in my time.

2675. Are they each of them paid according to the fees?—No; they are paid at the discretion of the provost-marshal, who is held solely responsible; they are only his clerks, liable to be dismissed when he wishes.

2676. And the provost pays one of his ordinary marshals as much as 700*l.* a year?—I think as much as that; he is the cashier of the office, and a great deal of responsibility is in his hands.

2677. Can you give the Committee any account of the duties of another officer in the colony, the master pilot, who I see has a salary of 970*l.* a year?—The master pilot has the charge of the light ship on the bar; and he has an establishment of tenders to and from the light ship; he takes charge of every ship coming in and going out of the river; he is held responsible for the duties of the subordinate pilots.

2678. Do you mean to say that he is put to any pecuniary charge further than any other ordinary seaman is?—He is put to the charge of being obliged to keep up tenders for the discharge of the duties.

2679. Am I to understand you to say that out of that 970 *l.* as his remuneration he has something to pay?—I think he has.

2680. You do not know?—I may say that I know he has to pay for the tenders, which are sailing ships, and expensive in that country.

2681. Have you any document by which you can confirm that statement that he has such payments to make?—I think the master pilot has to pay for the tenders; he is bound to keep the tenders going. The pilot fees go to the general revenues of the colony, and the master pilot is paid so much a year to superintend the pilot establishment and keep those tenders.

2682. I understand you to say that 972 *l.* a year as marked here is not the net remuneration of the master pilot?—I think not.

2683. Do you not know what it is?—I think it is less by so much as he has to pay for the tenders.

2684. By whom is the master pilot appointed?—By the pilot committee, a committee of merchants.

2685. Who appoints the superintendent of rivers and creeks?—The Governor.

2686. What are his duties?—To travel up and down the rivers and creeks to prevent squatting, and to act as magistrate in distant parts of the colony; British Guiana is an immense place, and there are huge rivers running through it; he has to go as far as the settlements extend up the rivers, and it is very expensive going up and down in boats and hiring labour.

2687. Could not that duty be done by the police?—Yes.

2688. You think the duty for which upwards of 2,000 *l.* a year is paid to the superintendents of rivers and creeks might be done by the police?—I am hardly prepared to give an opinion of that sort; the distant parts of the colony where the Indians live, and the negroes are very fond of squatting, are very difficult to reach, and you would require some one to keep order in those distant settlements.

2689. Are there not police in those settlements?—Very few; the rivers extend hundreds of miles through the country.

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2690. Are you of opinion that it is necessary to keep up a number of superintendents of rivers and creeks to prevent squatting?—I am not prepared to answer that question exactly. I think some officers are necessary there, but to what extent I cannot say.

2691. Mr. *Villiers.*] With respect to the securities which are given to the Governor, were they not formerly given to the Governor, and submitted to the Court of Policy for approbation?—I am not aware.

2692. Are you aware of any ordinance changing the law in that respect?—I am not aware of any.

2693. Is it the fact now that the Governor alone takes the security?—As far as I am aware, the matter is invariably referred to the law officers of the Crown, whom the Governor holds responsible for the securities taken; it would be impossible for the Governor to know the means of each individual in the colony.

2694. The law is, that the Governor now shall be the person to consider the validity of the security?—The Governor is always named in these matters, and he delegates them to persons better informed than himself.

2695. Do you know of any ordinance by which the law was changed in that respect?—I do not; there may have been a change, but I am not aware of it.

2696. Will you refer to the ordinance passed in 1838, and state whether you consider that to be the law now?—I think that has been altered.

2697. You have no recollection of any ordinance passing while you were in the colony?—No; I knew nothing about it at that time.

Jovis, 19° *die Aprilis*, 1849.

MEMBERS PRESENT.

Mr. Hawes.	Sir Joshua Walmsley.
Mr. Wilson.	Mr. Gladstone.
Mr. Hume.	Major Blackall.
Lord Hotham.	Mr. Adderley.

HENRY JAMES BAILLIE, Esq. IN THE CHAIR.

Sir *Henry Light*, K.C.B., further Examined.

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2698. Mr. *Hawes.*] HAVE you any explanation or statement that you wish to make to the Committee?—Undoubtedly.

2699. Will you proceed to make it?—Being suddenly called on to account for an administration of 10 years, it is not to be supposed that my memory could instantly state with accuracy the various transactions that were the subject of my examination before the Committee.

Evidence having been given by parties to misrepresent my administration, it has been necessary for me to demand that an opportunity be given me of rebutting that evidence.

The first evidence, after my examination ceased, is that of Mr. Sandbach; it chiefly went to show that I had acted improperly in giving countenance to the negroes in British Guiana during the strike in 1842, and that I had encouraged them in cessation from labour.

In 1838 I was applied to by letter by Mr. Rose, as organ of the planters in Essequibo, to interfere, at the outset of emancipation (when on a tour in that part of the colony, to explain to the negroes their relative position as freemen), in favour of the planters, by fixing the wages at eight dollars per month. This I refused to do; in the first place, it was not a part of my duty; in the next, it would have been of no avail; for the labour-market had or would become an object of competition.

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competition. I contented myself with pointing out to the negroes what were their rights and their interests. In 1842, a combination, which caused the framing of a set of rules of an arbitrary nature, and which the planters bound themselves to carry into effect, was entered into by the planters to reduce wages. It is not the province of the Government in these days to interfere in the rate of wages either at home or abroad.

The negroes flocked in vast numbers to George Town to know whether it was true that I had ordered the reduction of wages, or was a party to the obnoxious rules. I told them I had nothing to do with the price of wages nor the rules; that so long as they were peaceable and did not prevent their comrades from working, I could not interfere, but that if they attempted to interfere they would be punished. 25,000 negroes remained peaceable, though they did not go to work during six weeks, or upwards; the only instance of violence was on the west coast of Demerara, towards the end of the strike, when it was reported to me that a workman at one of the estates was prevented from going to repair an engine, by a large gang of negroes; the names of five ringleaders were given to me, whom the police could not secure, and I was asked one evening to send a strong reinforcement of police to secure them; this I refused to do, but went with the Government Secretary, Sir Henry Young, to the estate very early in the morning. Some 200 or 300 negroes assembled, and Sir Henry Young read them a lecture which we had prepared. The result was, that the negroes acknowledged their error, for which they asked pardon, and the ringleaders being called, came forth, voluntarily surrendering themselves to a couple of policemen, who handed them over to the stipendiary magistrate, by whom they were sentenced to punishment.

Towards the close of this strike I went to several of the estates, to recommend the labourers to return to their work; but I refused to go to one of Mr. Sandbach's estates, because he, being one of the leaders of the combination, I considered he had the remedy in his own hands, and that my interference would have caused the negroes to suspect that I was no longer neutral; it was the subject of correspondence, which is in the Colonial Office.

It has been stated in evidence before the Committee that I was surrounded by men who were bankrupts; and that it was natural I should be unpopular by bestowing my patronage on such men, or words to that effect; this is a misstatement; two of my aides-de-camp were on Sir Carmichael Smyth's list, Forester and Shepherd: the former a civil engineer, perfectly independent; the latter registrar at Berbice, since appointed treasurer at New Zealand; the former held a staff appointment in the militia. Three were recommended to me by the Acting-Governor Banbury; their names, Bagot, nephew of the high sheriff, senior sworn clerk in the registrar's office of George Town, then of unexceptionable character; Holmes and Carbery, both in possession of estates, not bought at execution sale, and with as good credit as others in the colony, not one of whom could have then wished for my patronage; Goodman, son of General Goodman, brigadier-general of militia, a man of high reputation in the army, his son already holding a staff appointment of militia, and assisting his father in the Vendue Office, which office I abolished on the death of General Goodman, recommended to me by Colonel Everett, an officer of merit, who had been sent to British Guiana by the commander-in-chief of the troops in the Windward and Leeward Islands, Whittingham, to relieve Colonel Bunbury.

My next appointment was Mr. Henry, owner of a large estate in Berbice, a gentleman of colour, of good education; it was a proper tribute to the African descent.

My last appointment of aide-de-camp was Sir Robert Schomburgh, to give him credit with the Brazilian authorities with whom he might come in contact on the Boundary Commission; Sir Michael M'Turk was not my aide-de-camp; he had been the friend and aide-de-camp of Sir Benjamin D'Urban; was the mooter of anticipated emancipation in 1838, which I, not Colonel Bunbury, carried into effect; he was for several years attorney of estates to 15 or 19 absent proprietors; amongst them certainly to the family of the Chairman, Mr. Baillie, and, if I am not mistaken, to Mr. Higgins.

Of all these persons only one received an appointment, and that long after he had been my aide-de-camp. Mr. Carbery had, like many others, found his affairs in difficulty; he had paid for his estate or estates, for he had more than one, by advances from merchants in Europe. I knew his capabilities,

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which have been acknowledged, and in 1843 I made him a stipendiary magistrate, in the duties of which he particularly distinguished himself. If embarrassment was to be any objection to public employment, the selection would have been very limited in British Guiana. I knew nothing of Mr. Carbery's insolvency till he wrote stating that it was necessary for him to take the benefit of the Insolvent Act; his letter was forwarded to the Colonial Office, when he was called on to resign; he then had an honourable acquittal in spite of a strong opposition from Mr. Rose of the Colonial Bank; but agreeably with intimation from the Secretary of State, that he would be eligible to office again if he came through the court with clean hands, or words to that effect, I replaced him on the list of stipendiary magistrates, and he was confirmed from the Colonial Office. I made him acting sheriff of Essequibo during the absence of Sheriff Fowler, because he was the fittest man for the place.

Mr. Goodman was a purchaser of Vrow Anna, the owner, Mr. Bent, whom I met in the colony about the time of the purchase, being his supporter. The litigation was the natural result of the complex state of the affairs of the estate, there being more than one mortgage. A decision in favour of Mr. Goodman's claims was given by the court of justice of British Guiana, which was however reversed by the Privy Council. The second claimants, who caused the reversal, were glad to compromise with Mr. Goodman, as the issue was still doubtful under litigation. Mr. Goodman never received an appointment from me. On my departure from the colony Lieutenant-governor Walker made him acting assistant government secretary, and he did his duty well if I am informed correctly. He had already been fixed on for that office by Mr. Walker, though I had mentioned that he would be a proper person, in conversation on the subject. He has been made aide-de-camp to Mr. Berkely.

It may now be necessary to show the Committee how I did use my patronage on my arrival in the colony. I found several names on Sir Carmichael Smyth's list; I adopted them all. There were two, named Ware and Britain, who had acted as stipendiary magistrates and had been superseded from home by others; on vacancies I appointed them, and they were confirmed. Rothney, another, was sent out to Sir Carmichael Smyth in hopes of employment; he acted as his private secretary; I appointed him to be an inspector of police.

When the police magistrate of George Town was established by ordinance, I named Mr. Dowgan, at that time one of the colonial members of the Court of Policy. He had been in opposition to the emancipation, but being gentlemanlike withal and of liberal education and habits, having been fiscal of Essequibo, and mentioned by Sir Carmichael Smyth as "a gentleman he was proud to call his friend," possessor of an estate which was solvent, and which he held to his death, and well known as a just man, he thence was considered by me as the fittest man. On his death two years afterwards, I appointed a man of good education, who had been several months in the colony, of undoubted character, bred up for the Church of England, afterwards LL.D. of Trinity College, Dublin. He has given universal satisfaction. He had the recommendation of Dr. Stack to the Colonial Office.

Another instance of only looking to the public service in appointments occurred in the beginning of the year 1839, on a new organization of the police. It was necessary to find an inspector-general. I was beset by applications, and not from my followers, as they are called. One man, since dead, of considerable influence with the party with whom I was unpopular, proposed for my nomination, in an interview he sought, a very inexperienced man, connected with the leading colonists, holding a place in the customs, pointing out to me as an inducement that it would make me very "popular:" he mistook my character, and was refused.

I selected a man who had shown zeal and intelligence as a superintendent of rivers and creeks, and with whom I had only an accidental meeting for about an hour, in a visit to his district; but even in this instance, I asked the opinion of his trustworthiness, of one of the leading colonial members, who agreed with me on the subject. He proved a good officer for several years; but from a foolish and unpardonable curiosity, which I really believe was connected with a false notion of the duties of his office, was required to resign. In doubt as to the choice of his successor, I assembled several of the colonial members for their advice; and they unanimously agreed, without any suggestion of mine, that the person who now holds the office of inspector-general was the fittest, which

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which at once relieved my doubt under the apprehension of his foreign connexions, and confirmed me in giving him the appointment, as I had wished to do previously, unknown to him or any other person; and he has proved himself a most efficient public officer.

Mr. Craig, whose case has most freely been discussed, had been some time in the colony, had been entrusted by Judge Downie (then a barrister at the colonial bar, of considerable practice) with his affairs, during an absence he had proposed from the colony; and on the resignation of Mr. Roche (appointed by me merely from reputation to be Solicitor-general) was named his successor. Now here are proofs that I had not misused my patronage.

I will add two more; one the present administrator-general, a place of great responsibility and of considerable emolument. Mr. Kennedy was an attorney-at-law, who, from his being connected with the party in opposition to the government, I hardly knew, except from reputation of intelligence and solvency; but I selected him as the fittest person, in spite of numerous applications, and from conviction that a place of such importance should not be made one of favour.

The next was on the vacancy by the death of the registrar. I filled it up by naming an attorney-at-law of African descent, of high reputation, to whom I had hardly spoken, and for at least eight years had never known by sight; he had been long a confidential clerk to two of the leading barristers, was afterwards on the same footing with Mr. Craig. His merits got him the place, and nothing else, beyond the strong recommendation of Judge Downie.

With regard to other appointments of minor worth, I have endeavoured always to select the most fitting persons, according to the importance of the office. The name of Goodman appears amongst the stipendiary magistrates; he obtained the acting appointment a few months before my departure; a son of General Goodman; had been a captain in the army, which he left under circumstances highly honourable to himself, and bringing the highest testimonials from officers under whom he had served. He did credit to my appointment, and there was something due by me to the memory of a distinguished officer, as well as to the feelings of a widowed mother, left with small means and a large family. I trust these explanations will satisfy the Committee that my patronage was not ill bestowed.

It has, I believe, been assumed that I gave Mr. Holmes the place of marshal; so far from it, that I had named another person to act as provost-marshal, and recommended him to the Secretary of State. In the meantime the absent provost-marshal had resigned in England. Mr. Holmes was appointed by Earl Grey. My recommendatory despatch in favour of the person appointed as acting provost-marshal was not received till after the appointment had been made. Had favouritism been my guide I might have made Mr. Holmes administrator-general, for which he was fully competent.

It has been stated that I said I was unpopular; I was so with the leaders under Mr. Rose. I would not advocate any large influx of immigrants till proper accommodation was secured; I would not submit to a loan for which there was no use; I would not disobey instructions; and I would do my duty to the lately emancipated; yet in December 1839 I was so far popular with a large body of the inhabitants that a dinner (at which were present several of the persons who have in the late discussions been opposed to me, as well as a large body of planters) was given me, the outlay of which was 800*l.* sterling. I used my influence to secure to the negroes their full enjoyment of freedom; that was distasteful; and though from circumstances continuous labour was not the result, yet no coercion could have remedied the want. It is the natural effect of the independence to which the negro has attained.

So far from being unpopular during the last four years of my administration, that had I not remained at my Government on principle, in hope of settling the discussions in Combined Court by my influence, I have full reason to know I should have had a most flattering farewell from the Legislature; a similar one had been given to Sir Henry Young on his departure, and he had previously had his full share of unpopularity.

As regards the allusion to my despatch relating to the disrespectful behaviour of the negroes, it seems strange to attach this meaning of acknowledgment of unpopularity with them to such words. A bad spirit had been infused during the last three years by designing persons in the minds of the negroes. I

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checked the first attempt at outward resistance to the laws in so prompt a manner in 1846 that the negroes and their exciters were fain to rely on the virulence of their press alone to inflame the passions of the mass, and in which there was certainly considerable success, though the stringent measures I adopted prevented more than one serious collision with the police. I fear the example set by the Legislature will have bad future effects on the mass.

In a very early part of my administration I called on the Legislature to consider well the effects on the minds of the negroes, which the example set by constant opposition to the Government would probably produce.

It is stated I would not carry out the Orders of Council of September 1838 ; and that I would not pass the Master and Servants Act according to the draft of 1843, being copy of the Jamaica Act.

I stated my reasons to the Colonial Secretary of State for not interfering with the Orders in Council ; there were some additional powers wanting in the rural districts, and I brought in an ordinance in 1844, extending the provisions of the Police Magistrate Ordinance for George Town to the rural districts. I confined the jurisdiction to the stipendiary Magistrates ; the colonial members of the Court of Policy cavilled at this limitation ; I adhered to my views, and carried the ordinance by my casting vote ; this most useful ordinance was disallowed on that very principle by Lord Stanley, because the colonial members were adverse to the ordinance ; within 12 months a colonial member proposed the same ordinance, which was passed, leaving the Governor the power of naming the persons to whom the execution of its provisions shall be given, in fact a mere nominal alteration of the former ordinance ; the jurisdiction was specially limited to the Governor's selection ; it has worked admirably, and in my opinion answered all the purposes of the ordinance of 1846, whose provisions differ very little from those of the Orders in Council of September 1838.

It is stated that I had desired Mr. Mure, a stipendiary magistrate, not to carry into effect an award of punishment ; if I did do so, it must have been under circumstances of a peculiar nature, fully justified under the advice of the Crown law officers. I have some recollection of having transmitted this case to the Colonial Department, and that from some defective explanation no opinion was given, though I wrote favourably of his case. If I recollect right, the complaint was, that (in conformity with a common habit of the negro,) the under trash of the canefield was set on fire, to render the cane cutting more easy to the labourers ; many of the planters submitted to this ; in some instances it hardens the ground and affects the soil ; in others, I have heard planters say it was beneficial. In the early part of the period after emancipation the planters' competition for labour made them submit to the negroes, and it was in vain to caution the former against this ; they outbid each other in indulgence to whim or idleness ; that must be well known to the witness ; and in my first address to the Combined Court in 1839, this was one of its topics.

It is stated that I thanked the negroes in a circular during the strike on Mr. Higgin's estate. I thanked them for their orderly peaceable behaviour ; under similar circumstances I should repeat the thanks ; for had the negroes been otherwise than peaceable the planters might have rued the result of their unwise combination. I have shown that during six weeks, and upwards, a very large body of men had in only one instance transgressed the laws. I am accused of vaunting the prosperity of the colony ; I stated that estates were sold for large amounts, and therefore it was evident that all the planters did not consider their case devoid of hope. Even the estate of the Messrs. Bailey, of Bristol, was sold in 1841 or 1842 for 20,000 *l.* to two practical planters of great experience, Messrs. Kirkwood & Kilgour, and advantageous offers were refused by the same parties for another estate ; many other estates changed hands by purchase during those periods, and not by execution sale.

A colony, notwithstanding the depression of one portion, namely, the planters, could not be called ruined, where the treasury was overflowing, where the revenues showed an annual increase, where the great sources of taxation arose from the mass, and where its exports and imports for a population of 120,000 souls amounted to nearly two millions.

I will allow that the withdrawal of protection has diminished the value of estates ; but during the existence of protection, when sugars, as in 1841 or 1842, or about that time, were fetching unheard of prices, planters were not successful ; there was great distress amongst many, and some of the largest failures took

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took place about that time, both mercantile and agricultural. The unbounded lavish credits given by the banks greatly embarrassed the British Guiana Bank, which was only relieved by the successful management of Sir Henry Young, who was for a short time one of the directors and chairman; followed up by that of Mr. Croal, and by a great reduction of profits as well as issues. As to the Colonial Bank, it is well known that for some time the shareholders received no dividend, and it should not be forgotten that with regard to these banks, but more especially the latter, for the British Guiana Bank had well recovered its position, I adopted a measure which secured it from being placed in the greatest danger, by preventing the colonial treasurer, the registrar, the marshal's office, the administrator-general, from demanding payment of cash for a large amount of notes in their custody, of the Colonial Bank, which, during a panic run on the banks, they were about to do; a measure which, bold as it was, I did not hesitate to adopt, to save the colony from the confusion which would have inevitably followed had the Colonial Branch Bank been unable to meet its demands. Had there not been fears on this head, I should not have received a deputation of parties concerned, praying for my interference. In half an hour after the meeting with these persons I had the proper steps taken for the security of the banks, which, happily for me, obtained the approval of Her Majesty's Government, and at the time the grateful acknowledgments of those whose witnesses have misrepresented my administration.

The addresses to me on my departure from the colony, to which several names of colonial members will be found attached, have been spoken slightingly of. My levee before departure was attended by several of them, and few Governors have had their embarkation on departure so respectably and numerously attended.

For my endeavours for the public good I refer to the various establishments which owe their origin to me or to my countenance and support. It was my own act that a code of civil and criminal laws has been passed, which, though it may not be perfect, has remedied many of the most glaring evils of which complaint had been made so far back as 1827; I was well seconded by the present acting Chief Justice Arrindell, and by his praiseworthy support, even before he was officially connected with the Executive, I was enabled to overcome many difficulties, and complete what has received the unqualified approval of Her Majesty's Government, and I trust and believe of every honest member of the colony.

Stress has been laid on the advantage that might have been derived from an earlier adoption of the Jamaica laws. Has that colony benefited by them? The average crop of British Guiana in the best of times of slavery was 55,000 hogsheads; that of 1847 and 1848, nearly 47,000 hogsheads; the later crops of Jamaica have not attained that amount, far below any average crop of its prosperous times.

Stringent laws cannot affect men who have means of support independent of daily wages. Coercion can have no weight where men have their own provision grounds, have no need of clothing nor fuel, and who by labour, greedily sought from their hands by the planters, can in two or three days' industry furnish themselves with luxuries such as they require, and which they do obtain, as is shown by the vast amount of revenue derived from the mass.

I cannot adopt the opinion that the Colonial Department would have been benefited by certain counsel, such as has been suggested in evidence. It appears to me that a one-sided view of colonial affairs, such as has been given in the course of this inquiry, could not be a guide in matters of general policy; and with regard to myself it would appear opinions have only lately changed, as in a letter to The Times, date 7 February 1848, and in page 32 of the second pamphlet to Lord John Russell, a full portion of merit is given to me.

I shall only add a few more words. I have been asked why I did not advocate or support a reduction in the salaries on the civil list, or to that effect. To begin with the Governor's alone, and no other, my answer is: I was about to leave the government. It would have ill become me, even had I believed there was necessity for the reduction, which I did not, to have been a party to a reduction of the salary of my successor.

Whatever distress has happened to the slave colonies has been the work of the nation. Protection was taken away by the nation. The full and perfect

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freedom of the slaves, emancipated by the act of the nation, was required at the hands of the successive ministers of Her Majesty's Government, and by them through their subordinate Governors. This has been faithfully carried into execution, at least in British Guiana.

I do not despair of future prosperity to the West India colonies; the noble example of Great Britain must sooner or later be followed by other countries holding slaves. The return of credit, so seriously jeopardized within the last three years, will not be lost to the enterprise of the British subjects in the colonies, and though distress may still be felt, yet I cannot believe that a great nation's benevolence will be without its reward.

2700. Mr. *Hume.*] Are the regulations to which you refer the same which you forwarded to Lord Stanley in 1842?—They are the same; there are 13 of them.

See Appendix.

2701. *Chairman.*] Will you hand them in?—Yes.—(*The same were delivered in.*)

2702. Mr. *Hume.*] Are you aware whether you sent one or two sets of regulations?—I sent one set, and I also sent another set of Mr. Glenn's, if I am not mistaken. The objectionable clauses were taken out.

2703. *Chairman.*] Will you point out to the Committee those clauses which you think objectionable?—The 13th clause is, "No land or provision grounds are attached to the cottages of this estate, and no claim for provisions planted in lands of this estate by labourers resident in these apartments will be admitted. The occupants, by continuing to reside in these buildings after this notice, declare they agree to the foregoing regulations in all their conditions." Now it was perfectly impossible to carry these into effect, and upon the minds of the negroes they had a very bad effect.

2704. Mr. *Hume.*] Are there any of the clauses from No. 1 to No. 13 which you think are oppressive?—Yes; I think they were all unwisely calculated to make them discontented. "No labourer shall be paid for less than an agreed daily task, except in cases of sickness, or other valid cause, to the satisfaction of the manager."

2705. Do you consider that to be oppressive?—I think so, in the state of the colony. There were not labourers enough to enforce such regulations; they had it in their own hands.

2706. Who "had it in their own hands"?—The labourers.

2707. Then was it not the more necessary that the Governor should have interfered, and fixed some rules by which both parties should have been guided?—I had no objection to any rules, but I certainly would not make the negroes submit to rules with which they disagreed.

2708. Did you at that time find fault with and object to these regulations?—Yes, I did.

2709. Did you substitute any others?—No; it was not my duty to substitute any others. I was not the governor of the agricultural interest.

2710. Was it not the duty of the Governor to maintain peace, and where discontent arose to allay it?—I did maintain peace.

2711. Are the Committee to understand you to say, that the clause which says that "no labourer shall be paid for less than an agreed daily task, except in cases of sickness, or other valid excuse, to the satisfaction of the manager," you consider oppressive?—Not at all.

2712. Do you consider No. 4, which says, "No labourer not employed by the estate shall be allowed or permitted to occupy apartments thereon without a special agreement with the manager," to be oppressive?—I do not think it at all unfair for the planters to endeavour to introduce that, if they could.

2713. Is not that one of those to which you objected?—No: I am pretty certain I took the opinion of the law officers upon the subject, that a man having a house upon an estate upon condition of working for it, had a right to bring in whom he liked.

2714. Do you mean to say you maintain the doctrine that any labourer might be brought into any individual's estate without his sanction?—If the house were given him for his work, it was the opinion of the Crown officers at the time that you could not prevent it.

2715. The latter part of the clause says, "without a special agreement with the manager;" do not you consider that any interference with property of that kind ought to be by agreement between both parties?—There does not seem

to

to have been any agreement; they make it a rule that it shall be so. The planters wanted to introduce that as a measure of their own, and the labourers would not agree to it.

2716. This was a proposed regulation which you declare to be oppressive?—I do not mean that particularly, but I think the whole was a concoction of folly, under the circumstances.

2717. If you had an estate, do you think it would be "a concoction of folly" to say "that no labourer not employed by the estate should be allowed or permitted to occupy apartments thereon without a special agreement with the manager"?—They endeavoured quietly to get as much work done as they could on the best terms.

2718. Do you means by "terms" some agreement?—If you please. There are two parties to this agreement: the labourers would not make the agreement, and they struck work.

2719. The question is, whether the agreement should not be made with the sanction of both parties?—But they would not make the agreement, and they did not make the agreement.

2720. Was it not wise to make a stipulation that an agreement, if possible, should be made?—It was a combination, which the labourers would not submit to.

2721. What do you mean by a "combination"?—Fifteen, or 30, or 40, or 50 unite, and say, We will do so and so; we do not care what the labourers say or do; that shall be our rule.

2722. Did you not say, just now, that the labourers had united?—They did not unite; they all disagreed; they would not work.

2723. You mean to say that they individually had no understanding as to the rate of wages?—I am not going to give an opinion upon hearsay.

2724. You were on the spot?—I was.

2725. Are the Committee to understand you to say that the labourers had no understanding as to the rate of wages?—Of course they must have understood.

2726. Then, if the labourers had that understanding, do you blame the proprietors of estates for having an understanding?—I should say, Who began it?

2727. That is not the question; but, Who did begin it?—I blame the proprietors for having begun it. The labourers would not have struck work; they did not strike work in Berbice.

2728. Do you conceive No. 6, which says, "For the due and faithful performance of each and every field task hereunder mentioned, the sum of four bitts, or 32 cents, will be paid in cash on demand," to be oppressive?—It is perfectly absurd.

2729. Explain where is the absurdity?—It could not be enforced, and the labourers laughed at it.

2730. Did not a previous resolution, No. 4, contemplate an agreement and an understanding between each other?—There was no agreement, nor would they make any agreement.

2731. Do you mean to say then that no agreement for any labour was ever made while you were in the colony?—There was a tacit agreement.

2732. What do you mean by "a tacit agreement"?—A man comes upon an estate, and says, "I will work." He works, and he goes off the next day; but if he goes off the next day he leaves his house.

2733. Do you consider that it was improper for a proprietor if a man came upon his estate and said, "I will work," to say, "If you work for me you will work for a certain rate of pay"?—He was at liberty to do that, without making up these silly rules.

2734. You call it silly to publish to the labourers what should be the rate of wages?—They gave this to the different labourers, and the labourers immediately said, "No, we will not agree to it." How was I to prevent that?

2735. I put it to you as to a person who had to maintain the peace; do not you think it a fit and proper course when two parties disagreed, that one of them should publish and put into the hands of the other the terms upon which he was willing to proceed peaceably?—This came out before they had talked to their labourers.

2736. How do you know that they had not talked to their labourers?—It was an understanding got up (if I am not mistaken) secretly.

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2737. You say it was put into the hands of all the labourers; how could that be secret?—It was not secret when it was published, but the first meeting was secret; these rules were drawn up in secrecy and printed.

2738. The negroes got them as soon as they were issued from the printing press?—As soon as they were issued the proprietors sent them round the estates, and the labourers immediately said, "No, we will not agree to such terms, nor will we consider that you have the power of enforcing those terms."

2739. How do you know that they said that; did any one come and tell you?—Forty deputations came to me and said they would not work upon these terms.

2740. Did the forty deputations bring the same paper?—No; not one of them, if I am not mistaken; but I had possession of one of these papers before the deputations came.

2741. How do you know they would not act upon these regulations?—The labourers?

2742. Yes.—By their coming up to me.

2743. Did they bring a copy of the regulations with them?—Not at all. They said, "Such and such are the regulations which are wanted;" they knew very well that I had them.

2744. You were in possession of them?—Yes.

2745. Did you think them unreasonable?—Yes.

2746. Did you propose any more reasonable rules?—I had nothing to do with the arrangements of the planters and the labourers.

2747. *Chairman.*] Did you state to the deputations which waited upon you the opinion that you entertained that those regulations were so ridiculous?—No.

2748. What opinion did you give the deputations?—They came to me to ask me if I had been a party to these regulations. The planters, I believe, (and this is only hearsay) had circulated a report that I was a party to these regulations, and that I, with the Queen's authority, had ordered them.

2749. What did you state to the deputations?—I have stated in my explanation, that I told them I had nothing to do with the agreement between themselves and the planters, and that I recommended them to think upon what they did, but that I could not interfere as long as they did not prevent their comrades from working, and that I had nothing to do with it as long as they were peaceable; and not one single act of violence came to my knowledge except that which I have stated.

2750. Did you express no opinion with respect to these regulations to the negroes who waited upon you?—No.

2751. Did you ask them whether they understood them?—I did not think it necessary at all to do so.

2752. You concluded that they did understand them?—Of course I did.

2753. Why of course?—Otherwise they would not have come to ask me whether I was a party to them.

2754. Believing them to have been so ridiculous and absurd as you say you did, why did you not state that opinion to the negroes?—State it to them! What was the use of stating it to them? I told them they must make the best bargain they could with the proprietors; that I had nothing to do with the wages; and that I would see that the peace of the country was kept. I did see that the peace of the country was kept; and I doubt whether in any country in the world, where there was such a large population idle for six weeks, it would have been possible that they should have been so perfectly obedient to the laws.

2755. Mr. *Hume.*] Are the Committee to understand that the thirty or forty deputations who came to you had refused to work?—Yes, they had all struck work.

2756. How long had they struck?—I can hardly recollect. The moment these things came out they came to me.

2757. They came to you to make a complaint?—They came to me not only to make a complaint, but to hear from me whether what was said and reported was true; that I was a party to the combination and a party to those rules, and I was not.

2758. You have been asked what answer you gave. Did you advise them to make any arrangement or modification?—I did. I told them to endeavour, for their own sakes, to come to a compromise with their masters and employers; that

that I could not force them to work, but that if they at all infringed the laws I would punish them; and that if they endeavoured to prevent their comrades from working I would punish them. I did punish (as I have said) five; and the only instance in the whole colony that came to my knowledge (and I certainly should have known of others if there were any) was that instance upon some estate on the west coast of Demerara.

2759. You tell the Committee that these are ridiculous regulations; did you state that to the deputations which came to you?—I have answered that; and if I did tell them they were ridiculous (which I do not believe I did, for I could not have been so ridiculous myself), it does not at all signify, I should say, to the fate of my conduct upon that occasion.

2760. No. 7 says, "Any labourer performing more than one task will be paid at the same rate as the amount fixed by Regulation No. 6, for any number of tasks;" do you think that was an unjust or ridiculous provision?—Certainly not; but it must be understood, that if you prize your talent at a high rate, you will only get the value of your talent. Now the proprietor rated the price for the labourer according to his idea, and the labourer rated his talent at a higher rate.

2761. Then you consider that the amount of work to be done for those four bitts was too much?—Not a bit.

2762. Then did you try to settle the difference and reconcile that which was objected to?—I have particularly observed that I never would make myself a party to the rate of wages to be paid for work. It was the duty of the employers to do so, and it was not for me to tell the labourers other than this: "You had better endeavour to come to terms with your masters;" and I did go upon several estates and try to make them go to their work.

2763. Did you tell any of those deputations, when they came to you, what you state you told the labourers on the estates?—Certainly; I advised them to come to terms with their masters.

2764. How do you suppose labourers can come to terms with their masters if articles are not agreed upon as to the extent of work and the amount of pay; is there any other mode?—Certainly not, but let them do it themselves.

2765. Did not the masters propose those regulations, and submit them to the labourers for their approbation?—They sent them and stuck them up on the estates. I now recollect very well that they were pasted upon the different houses on the estates.

2766. In what other way could they make known to the labourers at what rate they were willing to employ them?—They might have done as I did; I used to bring them round me and talk to them.

2767. You must be aware that continuous labour is of great importance in manufacture?—Undoubtedly.

2768. No. 8 states, "A roster or list of the labourers will be kept in the boiling house, by which all parties may ascertain their turn for building duty;" do you consider that to be ridiculous?—No, I do not see any harm in that, except that it was great nonsense at the time; for they could not enforce these rules.

2769. Then all your objection seems to be, not to the rules, but to the want of power to enforce them?—I objected to the last, and there was another to which I objected, which struck me at the time.

2770. No. 9 states, "Any labourer absenting himself or herself from work without leave or sufficient cause, will be required to pay two bitts, or 16 cents, for every such absent day;" do you consider that to be ridiculous?—That is utterly impossible.

2771. Do you think it improper?—I think it was perfectly useless, and therefore a very unwise rule.

2772. Do you think it was right that the master should be bound to do a certain thing, but that the labourers should not be bound?—Not at all; I say that the condition of the colony is such that those regulations could not be enforced; and if you give an order to a military detachment, and cannot enforce it, what will you do then?

2773. I should appeal to the Governor, which you do not seem to think was your duty?—Not at all.

2774. No. 10 says, "That the labourers shall furnish themselves with all tools"?—That is the system.

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2775. Do you call that ridiculous?—Not at all; it is the regular habit of the colony.

2776. Do you think No. 11, "That no person whomsoever shall be permitted, without special leave in writing from the manager, to hunt, shoot, fish, cut grass, or to pick fruit on this estate," is a ridiculous and improper regulation?—It was impossible to carry it into effect. I told the labourers, when I went round the colony in 1838, that they had no right to fish, that they had no right to shoot game (if I am not mistaken) on the estates, that they had nothing but their hands, and that if they asked too much for their hands they would find that the planters would be obliged to shut up their works. But the planters did grant them leave; and they did fish, they did shoot, they did take fruit, and they do it to this moment.

2777. You do not disapprove of the rule and regulation?—It is common justice.

2778. Then there is nothing ridiculous in that?—Nothing; except that they put it forth in the shape of a very obnoxious paper, which brought about a very serious stoppage of work, to the very great evil of the colony and the planters themselves.

2779. That is to say, the Committee are to understand you to think that the publication of these rules, and posting them on the different houses was an improper proceeding?—I think so.

2780. No. 12 is, "From the 1st of January next no labourer will be allowed to keep hogs, loose or in pens, and all such found loose, or in premises belonging to the estate, after the 15th of January, will be destroyed without further notice." Do you consider that was an unwise regulation?—If you could keep them from doing so, it was setting forth an arbitrary measure, contrary to all example and custom which was in existence at the time, and which had been allowed; and to put that down as a rule was folly.

2781. Do not the hogs, when they get loose, eat the canes?—They do when they get loose, and they are shot.

2782. Do not you think it was a prudent course on the part of the planters to give notice to the labourers that if their hogs were let loose they would be shot?—I dare say it was a very prudent and proper thing; but I should have taken other means of introducing such a rule as that.

2783. Notwithstanding it was prudent and proper, you say it was ridiculous?—I say it was ridiculous to attempt to do it in that way.

2784. No. 13 is, "No land or provision grounds are attached to the cottages of this estate, and no claim for provisions planted in lands of this estate by labourers resident in these apartments will be admitted. The occupants, by continuing to reside in these buildings after this notice, declare they agree to the foregoing regulations in all their conditions"?—I not only object to that, but I think it was as ridiculous as the rest; for they could not do it.

2785. You think that a man who would not agree to work on your estate should be allowed to remain in occupation?—No.

2786. Is not that the object of the regulation?—The object of the regulation is to endeavour to impose terms on the negroes which they would not submit to, and the consequence was that they struck.

2787. I cannot understand the distinction you make; you admit the propriety of all these regulations, but the mode of carrying them out you say was wrong?—I do not admit the propriety of all the regulations; the last, and one other, (I forget which,) are too stringent.

2788. The eighth is, "A roster or list of the labourers will be kept in the boiling house, by which all parties may ascertain their turn for building duty." Do you consider that to be bad?—I do not, if they could carry it into execution. No. 5 says, "Any labourer refusing, or not performing the work as ordered, will not be paid for the performance of any other description of work, and shall be considered as absent without leave." They had no power to enforce such a regulation.

2789. Do you consider it right in itself that a man who is employed for one work should not go to another?—I do not consider it right that such a thing should be allowed, but it was contrary to the system of the colony.

2790. If a man is engaged to perform one work, and he is told, "If you go to another work you shall not be paid for that other work, but you shall be paid for the work for which you were employed," is there anything wrong in that?

that?—Not at all; but why could they not have told them that without putting it in this form.

2791. How?—There is an overseer to tell them, "You go to this work, and if you go away you will not be paid."

2792. Are there any magistrates there?—Plenty.

2793. Are complaints ever made by the labourers or the masters before those magistrates upon any subject?—Upon many subjects.

2794. Supposing yourself to be a magistrate, and a complaint to be brought by a master or by a labourer, what is the best mode in which you would be enabled to settle the difference; would it not be by having a verbal agreement or a written agreement?—Certainly a written agreement would be the best; but they would not make an agreement. It was a proposed agreement, which the others would not agree to, and they struck.

2795. Would not a magistrate in that case have told the planter, "You have done your best by publishing and putting into the hands of the labourers the rate at which you are willing to receive their labour;" and would not that have exempted the planter from any complaint?—No. I mean to say that the master had no power of enforcing it, and he must come to the magistrate.

2796. How is the magistrate to decide, if there is no written agreement?—By hearing witnesses.

2797. Who are the witnesses?—The overseer on the one side, and perhaps a headman.

2798. Do you think that is a better mode than having a regulation or established rule?—It is not at all a better mode, but it is the mode which was adopted.

2799. Do you mean to say that you, as the Governor of that colony, took no measures by which an agreement should be come to and disputes settled?—I did take measures; I went round estates and I said, "I cannot enforce these regulations, but I recommend you to come to terms with your masters." I did that upon Mr. Glenn's estate and several others; and I went there because the planters appeared to know that it must be by mutual agreement.

2800. How many estates were there in the colony?—Two hundred and ten in Demerara and Essequebo.

2801. Did you take no steps for the purpose of publishing your opinion, so that it might be known on all the estates?—There is a circular of mine upon that subject.

2802. The whole of your objection to these regulations is the mode of publication and the want of power to enforce them?—Yes; I object to those two particularly about the hogs, and determining what is to be the task.

2803. Then are the Committee to understand you to say, that it was not fit and proper for the planters to fix the task and to fix the amount of money to be paid at that time?—They were perfectly at liberty to do what they liked upon the subject of work; but it was not for the Governor to interfere.

2804. "Government Secretary's Office, 31st December 1841. Sir,—The Governor has had under his observation a printed paper, entitled, 'Rules and regulations for the employment of labourers on plantations, west coast, Demerara, from and after the 1st of January 1842.' The rule numbered 16 is thus expressed, "Every labourer who does not intend to submit to these rules is required to leave the estate on or before the 1st January 1842, and every labourer who continues to live upon the estate after that date is understood thereby to signify that he agrees to the rules.' As similar papers are believed to be very generally distributed throughout the colony, his Excellency deems it necessary remind to you that no countenance whatever should be afforded on your part to the ejection of labourers from estates on the strength of an agreement which is implied to exist between the labourers and their employers on grounds so vague as those contained in the above-quoted rule. It will of course be your duty to enforce any agreement into which the labourers and their employers may have entered, provided it has been fully and fairly explained and understood, and voluntarily contracted. This preliminary inquiry is the more necessary to be made by you, inasmuch as the rules contemplate not merely the exaction of ordinary work, but of work to be commenced at a precise period; and want of punctuality in this respect is proposed to be visited with a forfeiture of the value of work actually performed. The rules, moreover,

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contemplate the discontinuance of customary allowances and gratuities, not only without a pecuniary equivalent, but with a reduction of wages and a fine in the shape of rent for absent days, equal in amount to half a day's wages, for not working daily for the estate. There are other points of which it is most essential that the labourer should be fully apprised before he can be considered to have entered into the agreement adverted to in the above-mentioned 16th rule, to which, however, the Governor thinks it unnecessary to allude in detail, as his Excellency relies that this general notice of the document will be sufficient to awaken your attention to a subject so interesting to the labouring population, and so likely, without your seasonable counsel, to create excitement." That is signed "H. E. F. Young"?—Mine does not contain all.

2805. There is one dated 31st December 1841, which contains four more, and yours only contains 13?—What are the 14th and 15th?

2806. The 14th is, "Each labourer employed, and whose name is on the pay list, to contribute one day each (lunar month) to pay for medical and hospital expenses." That you objected to?—I objected to it.

2807. It appears that there were two sets of rules for two different parts of the colonies; the first issued on the 31st December 1841, and the other on the 1st January 1842?—I think these are the rules upon which Mr. Glenn worked.

2808. Are the Committee to understand that it was your opinion that labourers who went to work with a knowledge of the terms upon which they were to work, and with that paper in their hands, were not to be considered as engaged?—Undoubtedly, if I gave the order, I thought so.

2809. You state that you objected to the planters making any alterations with regard to allowances and gratuities?—Yes, at that time, unless there was some equivalent: it is evident that was my opinion at that time,

2810, Are the Committee to understand that you attempted to provide any equivalent?—No.

2811. You took no steps with that object?—No.

2812. You objected to these regulations, but you did not attempt to introduce any others?—Except by telling them they had better make the best terms they could with their masters, and not prevent their comrades from working, otherwise I would punish them.

2813. One appendix to that letter which you forwarded is to this effect, from Mr. Allen, stipendiary magistrate: "I shall take care that the illegal measures contemplated in Nos. 1, 9, 12, and 13 of the rules and regulations are not accomplished, when officially brought to my knowledge. As at the present crisis everything is important tending to throw light upon the value of labour, I annex a copy of certain data, obtained from the joint proprietor of plantation Richmond, as likewise of a letter from the same gentlemen, with my reply on that subject." In sending this home, I apprehend that met with your approbation?—Undoubtedly, unless I made some remark to the contrary.

2814. Take No. 9: "Any labourer absenting himself or herself from work without leave or sufficient cause will be required to pay two bitts, or sixteen cents, for every such absent day." Do you consider that an illegal regulation?—It was perfectly illegal at the time.

2815. Have you any knowledge of the manner in which regulations are made for labour in England?—Perfectly.

2816. Are you aware that a rule to the same purport exists in most manufactories?—There may be such a rule; I do not know.

2817. Supposing such a rule to exist in England; if it is legal in England do you think it right to say it is illegal in the colony?—The cases are totally different. There are plenty of workmen in England, but that is not the case in British Guiana.

2818. Does that alter the nature of the agreement?—It was not, in my opinion, an agreement which could be enforced.

2819. Now take No. 12, which says, "No person whomsoever shall be permitted, without especial leave in writing from the manager, to hunt, shoot, fish, cut grass, or to pick fruit on this estate"?—That is only what I told the negroes, but the planters never enforced it.

2820. What do you mean when you say you told them?—I told them so in 1838; I told the negroes that very thing, and not one planter ever carried it into execution, and can it be supposed that after three years of freedom these men

men were to be stopped all of a sudden by a motion of the planters, who were at their mercy?

2821. At whose mercy?—At the mercy of the negroes, for work, for the negroes were independent.

2822. Taking your own admission, that the negroes were masters and that the masters were at the mercy of the negroes, was it not right that the masters should endeavour to protect themselves by fixing such rules and regulations as they could afford and abide by?—Yes, but part of them were not considered to be legal.

2823. Such as you have mentioned?—Yes.

2824. Do you consider it legal for a man who is to employ another to make such stipulations as he thinks fit for that person to attend to?—He is perfectly right in making him work for a penny if he can do it.

2825. Was it not then the duty of the magistrates, if any such stipulation was offered by the masters and agreed to by the labourers, to enforce it?—If it had been agreed to by the labourers, and there was proof of it, the magistrates would not have hesitated in punishing them, and would not have dared to refuse to punish them.

2826. Does not Mr. Allen say that he shall take care that the illegal measures contemplated in Nos. 1, 9, 12, and 13 of the rules and regulations shall not be considered legal?—Will you read it over again?

2827. "I shall take care that the illegal measures contemplated in Nos. 1, 9, 12, & 13 of the rules and regulations are not accomplished, when officially brought to my knowledge"?—He had received orders to that effect, and therefore he obeyed them.

2828. Finally, then, I understand that you, in your capacity of Governor, considered it your duty to object to the masters making such regulations as they thought they could afford and be able to carry out; that you considered many of the propositions made by them illegal, and that therefore you denounced them as improper?—I did not denounce them any more than giving the proper orders to the stipendiary magistrates to see that what I considered illegal was not carried into effect.

2829. Then Mr. Allen, in writing as a stipendiary magistrate, acts upon the orders he receives from you?—It appears so, if I have mentioned it in that circular of Mr. Young's.

2830. It came here as part of your letter?—It is his report.

2831. In answer to the letter he received?—Yes.

2832. Consequently he says, "I shall take care that the illegal measures contemplated in Nos. 1, 9, 12, and 13 of the rules and regulations are not accomplished, when officially brought to my knowledge"?—Yes.

2833. Then if such was the case, and the masters or planters were at the mercy of the labourers, do not you consider that it would have tended more to the prosperity and the peace of the colony if you, as the Governor, whose orders I think you say were always obeyed, had taken measures to reconcile the two parties?—I did take measures to reconcile the two parties. I told 40 deputations (and I think there could not have been less than 50 in each deputation) that it would be best for them, and that I trusted they would do so, to come to terms with their masters; and I could do no more.

2834. That was verbal?—Yes.

2835. Is this the only circular you sent?—I am not aware, but I dare say you will find another circular.

2836. Is there any circular in which you advise them to go to their masters, and agree with them, and settle their differences, so as to prevent unpleasantness?—There may be such a circular; but, at all events, if there is not, I considered that the stipendiary magistrates had full knowledge of my views, and that the labourers also had full knowledge of my views; for I went to the different estates, giving them full knowledge of my views; and I would not go to those estates whose owners had combined in this way to bring forward rules and regulations which they could not enforce.

2837. Did the Colonial Office approve of and sanction the proceedings which have now been mentioned; is there any answer to them?—I fancy so. There is a despatch, if I am not mistaken, from Lord Stanley, in which he trusted that I should be able to bring the people to terms. I took especial care with

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several estates; I went 20 or 30 miles and back again in one day, which in that country is hard work. I know I went to Greenfield, where I particularly pointed out to the labourers the necessity of coming to terms with their masters, and particularly with such a man as Mr. Glenn, who had at that time the highest reputation, and who had struck out offensive rules.

2838. In the explanation you have given, you have stated that there were false charges made against Mr. Craig by designing parties, as if a conspiracy existed against him; did you take any measures to publish or to expose the machinations (to use the proper phrase) of the men who brought those charges; were any measures taken by the Government or Mr. Craig to put them down?—Mr. Craig wrote to me immediately on the subject.

2839. Was anything done?—The Colonial Office perfectly exonerated Mr. Craig.

2840. You state that in 1838 some Orders in Council were sent to you to regulate the vagrant law, which you have mentioned, that you did not think fit to entertain until 1844, when you brought in and passed an ordinance. Is that the case?—Yes.

2841. Between 1838 and 1844, under what law was the labour of the colony regulated?—By the Orders in Council of 7th September 1838.

2842. You stated that in 1844 an ordinance was passed, carrying out nearly the regulations of the Jamaica Act of 1843, of which complaint has been made?—Yes; it was not passed until 1846.

2843. Then you acted upon the Order in Council of 1838, but you did not pass any ordinance until 1844?—Yes, that is so.

2844. What is the difference between acting under an Order in Council and acting under an ordinance?—It gave power to stipendiary magistrates to interfere in cases of mischievous destruction of property, and offensive words and language, all which was not under an express law, beyond that, I think, of violence.

2845. Then that was provided for by the ordinance of 1844?—It was.

2846. Stipendiary magistrates were able to punish for acts of violence?—Yes.

2847. In what way were acts of violence punished under the Orders in Council of September 1838?—By bringing up a man before the inferior criminal court; it was not a summary jurisdiction.

2848. The vagrant law is summary?—Yes; it was the Order in Council as to vagrancy.

2849. That order did not give the power which, under the ordinance of 1844, you have stated you obtained?—It did not; he was brought before the inferior criminal court.

2850. And that required a course of legal proceeding?—Every month there was an inferior criminal court held in every district by the respective sheriffs, which caused delay in punishment; they were punished, but the punishment was delayed, and they brooded over the offences; and it was not so much for the employers as for the labourers themselves that the law was introduced.

2851. You are aware that any vagrant in England can be brought up before any magistrate sitting in the district?—No doubt that is so, but vagrants in British Guiana are independent of all Vagrant Acts, having their own cottages and their own provision grounds, and having a right to go on the high roads to work.

2852. Then such men as may be denominated vagrants could only be tried by an inferior court?—The Order in Council gave the stipendiary magistrates power over them.

2853. Then I do not understand what additional powers are given by the ordinance of 1844?—The whole of the police magistrates' ordinance was carried out into the rural districts.

2854. Does the Jamaica ordinance to which you allude give the power of summarily punishing vagrants?—I cannot carry it in my recollection, but I can state that the only difference was with regard to coercion; I think that agreement was to be made for three years of service.

2855. I think you stated that that ordinance has not done much good in Jamaica, or that Jamaica has not much benefited by it?—Not in the way of prosperity.

2856. It has not tended to the prosperity of the colony?—No; I do not mean to say that it may not be a very good one.

2856*. Sir *J. Walmsley.*] You have been asked whether you took any measures for the purpose of reconciling the difference which arose with the labourers; did the planters consult you on the rules they issued regulating labour, to which you have referred, in 1842?—Not at all.

2857. Did the planters, when they issued the regulations for the government of labour, consult with the negroes or the labourers, or were those regulations perfectly arbitrary on the part of the planters?—They were perfectly arbitrary on the part of the planters; at least generally so; there may be exceptions; I think Mr. Glenn is an exception.

2858. They did not consult with the labourers at all on the subject?—Certainly not.

2859. They were not consenting parties?—No.

2860. Were those rules in accordance with the wishes of the negroes at all?—Certainly not.

2861. Was it your object, in speaking to and consulting with the negroes, to induce them to be peaceful, and at the same time to aid them in defending their rights as labourers?—Yes, and to make them perfectly understand that the Governor had nothing to do with their agreement for wages. I should have been very happy if I could have made them work. I have always complained that the planters themselves did not require continuous work; that a man would take half a day's work, and that another man would agree to give him only a quarter of a day's work if he would come.

2862. You were never consulted on the question, nor were the labourers themselves consulted?—Never.

2863. *Chairman.*] Were those regulations sent to you as Governor before their publication?—Not to my knowledge at all; I believe they were got by Mr. Young without any reference to the parties.

2864. In the evidence you have given to-day, you have objected to the statement made by Mr. Higgins with respect to Mr. Goodman. Look at Question 2013, and the statement there made by Mr. Higgins, and state to the Committee whether you dispute the truth of any portion of that statement?—Mr. Hamel was a brother-in-law of Mr. Goodman's father. I observe that Mr. Lawrence Fitzgerald became an insolvent; I do not know that I ever heard of it; and that Mr. R. J. Butts became an insolvent; I never heard of his taking out a *cessio bonorum*. Mr. J. H. Holmes became insolvent, but at that time he had as good credit as any man in the colony; and so had Mr. Fitzgerald. It was the marshal certainly who accepted the securities; but I should feel certain that whatever he did was agreed to by the court of justice.

2865. The question you were asked was, whether you disputed the truth of the statement?—I dispute the propriety of saying that there was anything to blame in Mr. Goodman coming to terms with the owner of the estate; he took over the mortgage and paid for it.

2866. Are you speaking from your own knowledge?—No; I am speaking from what I find in the case; one of the judges of the court is here, and can reply to that. I only know that Mr. Fitzgerald was not insolvent; he may have been insolvent afterwards.

2867. He could not have been insolvent at the time he gave his security?—He was not insolvent then; he may have become insolvent afterwards; but if that was the case, there have been many instances where men have become insolvent whose securities were perfectly good at one time. Mr. Holmes' security was as good as that of any person in the colony, and he was a man of as much credit as any man in the colony. The litigation which took place is a thing which constantly occurs; and Mr. Goodman took advantage, I dare say, of the power he had to secure his estate and prevent it from being taken.

2868. You believe that he paid for the estate?—He paid for the mortgage, not the estate.

2869. You mean that he paid the two superior mortgages?—He paid the third, I believe.

2870. Turn to Question 2644, and you will see that in answer to a question from the Chairman, Mr. Holmes states that he would not accept the provost-marshalship till he had obtained an acquittance and discharge from all his creditors; and the following question which the Chairman puts is, "When you

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you had completed your arrangement with your creditors you were appointed provost-marshal?" and he states, "I was offered the place of provost-marshal; I did not accept it till I had completed the arrangements which I had underweigh." For how long a period was the office kept open for Mr. Holmes?—I fancy he was gazetted the moment I received notice of his appointment; I cannot recollect; but it appears I kept it open for 14 or 15 days; there was an acting man in the place, and he made his arrangements accordingly.

2871-2. He made his arrangements during that period?—I suppose so.

2873. Do not you know that he did?—If the man tells me so.

2874. When you gave him his appointment you knew that he had completed those arrangements, did you not?—Yes.

2875. Under your administration the law was altered with respect to the duty of the Court of Policy in judging of the validity of securities. It was previously vested in the Governor and the Court of Policy, but during your administration the law was altered, and the power was vested in the Governor alone; was not that the case?—I do not know whether it was during my administration, but it was always the rule. The Crown officers were consulted upon the subject, and if they considered that the securities were proper and good it was quite enough for the Governor, who does not interfere in anything beyond that he takes the opinion of the law officers of the Crown.

2876. The power of judging of the securities had formerly been vested in the Governor and the Court of Policy, but an Act was brought in while you were Governor to the following effect: "Be it therefore enacted, that from and after the publication hereof, so much of the said ordinance as declares that the securities of the provost-marshal shall be subject to the approval of the Court of Policy shall be, as the same is hereby declared to be, repealed and annulled; and that from henceforth the approval of such securities shall vest and be in the Governor for the time being alone." So that the duty of judging of the securities was vested in you alone?—If I am not mistaken, it was upon the recommendation of the Court of Policy that that ordinance was brought in.

2877. The duty of judging of the validity of the securities is by that Act vested in you?—It is nominally, as it is in the Crown. It was the same sort of power of judging of securities as is in the Crown when the Ministers recommend a person to a place. In that way the Governor may be said to be answerable; but he reposes entirely upon the Crown officers, and on their opinion alone is his judgment formed; for how is he to enter into a knowledge of the securities?

2878. Then do you suppose that the governor of a colony is in the position of the Queen of England; that is to say, that by a political fiction he can do no wrong?—Not at all; it is evident that it is thought I did wrong.

2879. But do you suppose there was no responsibility attached to your office in respect to taking securities?—None at all.

2880. That is your opinion?—That is my opinion.

2881. Then you did not take the trouble to inquire into the validity of the securities?—Not at all.

2882. Mr. *Hawes.*] You left it to the law officers?—I left it to the law officers, as is done in all cases.

2883. *Chairman.*] Did you make the law officers aware of the position of Mr. Holmes when he was appointed?—Was it my duty to do that?

2884. Did you recommend Mr. Holmes for the appointment?—No, I did not.

2885. If you had thought him an unfit person, should you not have protested against his appointment?—If I had thought him an unfit person I should not have assented to his appointment, although he was my private secretary, and I was excessively attached to him. When he was in difficulties I refused to give him a place; he did not ask, but I was asked for it for him; but when he was out of difficulties I was extremely happy to be able to put him in.

2886. Then if you saw that the Crown officers were accepting securities which you knew not to be good, you would not have felt it your duty to interfere?—I would break them and refuse them.

2887. Then you thought the security offered by Mr. Holmes was a good security?—Will you tell me what was the security?

2888. The security was himself in 4,000*l.*?—All those things have been in that colony, and in every other colony, nominal. I dare say he would have got

got 4,000*l.* if he had asked for it when it was known that he had got that place.

2889. Then I suppose the other securities were nominal also?—I do not know that; I do not recollect who they were.

2890. You did not trouble yourself about them?—Not at all; I dare say they are perfectly solvent and good.

2891. But for aught you know to the contrary, they may not be good securities?—They may not be good securities, but I believe they are good from what I have heard; I do not know them. Mr. Conyiers, one of the first merchants of the place, was one security; Mr. Bascomb was the other security, who was then in as good a position, and had as great credit as any man in the colony; he may have since got into difficulties, but he has recovered from them, and is now trusted by some of the first merchants in London.

2892. Then the Committee are to understand you to state that the collateral securities, which are bound for 2,000*l.*, are good securities?—Yes.

2893. And you consider Mr. Holmes a good security for the 4,000*l.*?—I think he is now.

2894. Was he at the time he gave the security?—I dare say he was. The security given by Mr. Holmes is exactly according to the terms of the ordinance.

2895. Mr. *Gladstone.*] You have stated that all these things have been, in that and every other colony, nominal; do you mean to limit that remark to the security given by the person who is appointed to the office, or to extend it to the collateral securities?—If a man cannot find securities to the satisfaction of the law officers of the Crown, he cannot take his place. There is an instance where a man lost his place by not being able to give satisfactory securities.

2896. You have stated that all those things have been, in that and every other colony, nominal; did you intend to apply that remark to the security given by the principal himself, the party who was about to be appointed, or did you intend to include the collateral securities also?—I may have used an unguarded expression; it is only my belief, and I may not have good grounds for it.

2897. Mr. *Hawes.*] You are speaking now in reference to the personal security?—Yes.

2898. Mr. *Gladstone.*] Not of the collateral securities?—Certainly not; in British Guiana.

2899. What do you consider to have been the duty of the law officers of the Crown in taking security from Mr. Holmes; do you think it was their duty only to ascertain to their own satisfaction the sufficiency of the collateral securities, or do you think they were also bound to have reasonable presumption that Mr. Holmes himself could, if required, satisfy the amount for which he had become security?—I am perfectly certain that if it had been absolutely necessary the 4,000*l.* could have been got.

2900. Do you consider then that it was the duty of the law officers to ascertain that Mr. Holmes would himself be able to produce the 4,000*l.* in case of need?—I presume so.

2901. I do not ask you what you presume, but what, in your view, as the Governor of the colony, was the duty of the law officers in respect to an important part of their functions?—To see that good and perfect securities were given.

2902. Are the Committee to understand you to say that in the colony of British Guiana the law officers are responsible, not merely for the formality of the proceedings, but that they are the persons with whom it rests to examine the personal sufficiency of the securities?—Entirely; and they are the best able to do it.

2903. You draw an analogy between the position of the Governor in reference to his advisers in the colony, and that of the Queen in reference to her advisers in this country; but are you aware whether the Queen in this country would accept securities for any public office on the advice of her law officers alone?—I cannot enter into such a question. I gave it as a general view that the Queen receives the nomination of a person to a place, and that if securities are necessary the due course of law requires that those securities should be given, and the proper officers take care that those securities are given.

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2904. The question is, whether you are aware who are considered to be the proper officers in this country?—I am not at all aware.

2905. But in the colony the law officers are considered to be the proper persons?—The law officers alone.

2906. Adverting to the peculiarly pointed language of the ordinance, "And such bond or obligation shall be approved by the Governor," are the Committee to understand that you regarded that as a mere matter of form, and that even supposing the insufficiency of an individual had been notorious, still you would not have thought it your duty to interfere?—If I had considered his insufficiency notorious, and that he was overpowered with debts, I should not have considered it my duty to appoint him.

2907. You would have interfered in that case?—Of course I should have interfered.

2908. Then are the Committee to understand that you regarded Mr. Holmes as competent to give security for 4,000*l.* at that time, in the circumstances in which he stood?—Yes.

2909. You considered that he was sufficient, not in respect of property that he held before receiving the appointment, but in respect of his having received the appointment?—Having received the appointment.

2910. With regard to the recommendation of Mr. Holmes, I think you stated that you had recommended another person to be provost-marshal?—I had; it was not a vacant place.

2911. Who was the provost-marshal preceding Mr. Holmes?—Mr. Hammel.

2912. Mr. Hammel went home on leave of absence?—Yes.

2913. As is usual, you appointed an acting provost-marshal during his absence?—I did.

2914. Did you recommend the person whom you so appointed for confirmation only as acting provost-marshal?—Only as acting provost-marshal.

2915. Therefore you made no recommendation with respect to the permanent disposal of the office upon its becoming vacant?—No.

2916. Therefore when the vacancy actually occurred, Lord Grey had no recommendation of any individual before him for the office of provost-marshal?—None.

2917. You had recommended Mr. Holmes to Lord Grey at a previous period?—At several previous periods.

2918. Had you recommended him with reference to a particular place?—I recommended him for the place of superintendent out-door waiter of the customs, a colonial appointment; and he was superseded by a man who was sent out from England.

2919. Is the person holding the office to which you have just referred a public accountant, and has he to deal with public money like the provost-marshal?—No.

2920. Would you have recommended Mr. Holmes for an office in which he would have had to deal with public money, in the circumstances in which you believed he stood?—Until he had cleared himself from all responsibility I do not think I should.

2921. You stated that you might have appointed him to the office of administrator-general?—I might; and I would have done it perhaps if I had not felt there was a better person for the office, as being a lawyer, a man of known abilities, and a man whose affairs were in no degree complicated.

2922. Is the office of administrator-general usually held by a lawyer?—It is an office newly created. When the Orphan Chamber was abolished there was an appointment of an administrator-general of the effects of insolvents' estates and of orphans.

2923. Do you mean that you might have appointed Mr. Holmes to that office when it was first created, or upon the occasion of a vacancy?—When it was first created, if I had thought it right so to do.

2924. When was the office first created?—In 1845.

2925. Had you knowledge of the state of Mr. Holmes' circumstances in 1845?—I knew that, like many other men, he had been involved.

2926. Would you have considered it highly improper, under those circumstances, to appoint him to that office?—Certainly I would not have done it.

2927. All you meant was, that if you had been regardless of those considerations, you had the opportunity of doing it?—Yes, I had.

2928. If

2928. If I understand you rightly, when the appointment of Mr. Holmes to the office of provost-marshal came out from Lord Grey, although Mr. Holmes had compounded with his creditors, yet you thought that his having received that appointment did of itself place him in such a position with regard to pecuniary means, that the law officers had acted properly in receiving his personal security ?—Yes.

2929. Therefore you do not mean, in point of fact, to put responsibility off yourself, by saying that it was the act of the law officers alone, but you consider that the law officers were bound to ascertain his sufficiency, and that they had reasonable presumption of his sufficiency ?—Yes, I do say so ; and moreover, Lord Grey in his despatch used words to this effect—" if he can take it," or something like it, so particularly guarded was that appointment.

2930. Did you understand, as far as you recollect, from those qualifying words of Lord Grey, that his Lordship had any doubt as to Mr. Holmes' sufficiency ?—I told Lord Stanley ; and I think in one of my annual despatches I recommended to the successors of Lord Stanley, Mr Holmes for appointment, as a man who was universally popular and a man of good abilities and of good education ; and that although he had been in difficulties, he would certainly be able to arrange his affairs the moment he got his appointment. That I have done in several despatches.

2931. As far as your recollection will serve you, did you understand from any expression which was used in Lord Grey's despatch, that Lord Grey had been made aware of Mr. Holmes' difficulties, and had entertained doubt whether those difficulties might operate as a bar to his receiving an office in which he would deal with public funds ?—No ; it may have been making it out that it was necessary for me to know whether Mr. Holmes was in a position to hold a public office of that kind. There were three or four words, to the effect of " if he can take it."

2932. Will you state generally what you understood the qualifying words which were used by Lord Grey to refer to ? Did you understand them to imply a doubt as to Mr. Holmes' sufficiency ?—It struck me that in reference to what I had already said of Mr. Holmes he might have had that idea ; but I knew he was able to get securities, and that he was able to relieve himself from the pecuniary difficulties into which circumstances had brought him, and in which many a man has been involved without any fault of his own.

2933. To relieve himself, you mean, by obtaining an office with a competent income attached to it ?—Not at all ; but that he would make an arrangement for the liquidation of any incumbrances there might be upon him ; and he was doing so at the time he was appointed ; he had brought it to that result.

2934. Therefore, in point of fact, if I understand you rightly, supposing it had not been the practice of the colony to refer the investigation of the securities to the law officers, but that duty had been discharged by yourself in person directly, you would have considered yourself quite justified in doing that which was done by the law officers ?—Yes, perfectly, when such men as Mr. Conyiers and Mr. Bascomb came forward ; and he could have got twenty others if he had chosen.

2935. Mr. *Hawes.*] You mean to become collateral securities ?—Yes.

2936. Mr. *Gladstone.*] You are cognizant of the fact that the amount of security given by collateral securities is only one-half the amount of that which was given by the principal in this case ?—Perfectly. Perhaps I might state that the marshal-provost's office has been subject to a variety of regulations ; and in 1838 there was a great attempt on the part of the Court of Policy to alter against the provost-marshal, and a new ordinance was brought in, and if I am not mistaken, it was through the Court of Policy that that ordinance was passed.

2937. Sir *J. Walmsley.*] You stated just now, that in communicating with Lord Stanley you mentioned Mr. Holmes' circumstances ?—I had done so.

2938. In a former part of your evidence you stated you had already recommended Mr. Holmes to Lord Grey ; did you also state Mr. Holmes' circumstances to Lord Grey ?—Not at all. In my last blue book, when I expected to go away and was going away, I said that Mr. Holmes had been a faithful person to me and would lose my patronage if I went away, and that I trusted he would think of him, or words to that effect.

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2939. From anything you wrote to Lord Grey, you have no reason to suppose that he had these facts before him at the time he made Mr. Holmes' appointment?—That he was cognizant of his being in difficulties?

2940. Yes.—Not particularly, for I do not suppose the Secretary of State would go back upon a point of that kind to look particularly into it.

2941. You referred to some qualifying words which Lord Grey mentioned?—I think they were, "if he can accept it," or some words to that effect.

2942. Might not those qualifying words have applied to a great number of other conditions and circumstances?—It may have been so.

2943. You have no particular reason to believe that they did apply to that particular fact?—No.

2944. Mr. *Hawes.*] But you gave them that application from your knowledge of Holmes' circumstances?—Yes. If I had thought he was incapacitated from taking the place, it would have been my duty to prevent him from taking the place; and I would have done it, notwithstanding I wished to serve him in every way.

2945. Sir *J. Walmsley.*] In a despatch addressed by you to Lord Normanby in 1839, you state the prices of provisions in the colony, upon the plea that you were bound to show cause why the salaries of the public officers should then have been augmented; will you be so good as to read Question and Answer 2006?—"Does it appear by that despatch what boon it was that the Government would give the colony?—My own impression is, that the boon which he hinted at was the removal of certain restrictions on immigration; but I think I shall be able to refer to certain documents which will place it more clearly before the Committee. 'Copy of a despatch from Governor Light to the Marquis of Normanby, 31st July 1839. My Lord,—Humbly presuming it could not be the wish of Her Majesty's Government that the public officers in this colony should be on a worse footing than those of other colonies, I venture to lay before your Lordship a comparative scale of prices in this colony and in the Leeward Islands, all of which I have visited, in two of which I have resided sufficiently long to be a fair judge of the disproportionate expenditure of British Guiana to that required in Antigua or Dominica. In advocating the increase of salaries I am bound to show cause; I therefore respectfully trust your Lordship will excuse my entering into minutiæ of expense.'"

2946. In answer to Question 2008, Mr. Higgins says, "It is possible that for a small season those prices may have been current, but it is very clear that those are not the prices which are given now; nobody gives 100 *l.* a year for his butler, or 29*s.* for a turkey or a ration of fish in Guiana now." Is that statement correct?—No; the ration of fish is as dear now as ever it was.

2947. Mr. *Hawes.*] Speaking of the time at which you left?—Yes; and the prices are not diminished by everything being free of duty.

2948. Sir *J. Walmsley.*] The prices upon which you based your calculation as to the increase of the salaries in 1839 were the prices then current in Antigua, were they not?—No, the prices in British Guiana.

2949. I think in your despatch you state that you compared them with the prices in Antigua?—The amount paid to a butler in Antigua, if I am not mistaken, was much less. "Coachman in Antigua, 26 *l.*; in British Guiana, 50 *l.*; cook in Antigua, 26 *l.*; in British Guiana, 60 *l.*" I paid those sums myself when I first came to the colony, and the Governor is always obliged to pay more than any other man. One of my reasons for increasing the salaries of the Governor and increasing the salary of the judges was, that the Court of Policy itself and the Combined Court had proposed to increase the salary of the Governor. They had put down 1,000 *l.* increase in 1839, and they put down a house for him; and they put down, in 1838, 2,500 *l.* for the chief justice, and 2,000 *l.* for the first puisne judge, and 1,500 *l.* for the second; they had acknowledged that an increase was necessary; and I should have had no difficulty as to an increase of salary at that time, if I had yielded to their wishes.

2950. But I think you based the increase of salary upon the high prices of provisions, comparing the colony of Guiana with Antigua?—Yes.

2951. Are you aware that the prices which have lately been current in Guiana are considerably below the prices of provisions in Antigua in 1838, as quoted by yourself in your despatch to Lord Normanby in 1839?—I am not all cognizant of that.

2952. Have

2952. Have you seen the report of the Guiana market for January 1849?—I have got the prices.

2953. Read the prices of the chief articles of consumption?—In 1849, turkeys six to eight dollars, which is pretty nearly my price.

2953*. Refer again to your previous despatch, and see whether they were marked 29 *s.*?—Twenty-nine shillings; poultry in this report of 1849 is put down six to eight dollars.

2954. Having calculated the salaries of the public officers of Guiana by the highest price of provisions ever paid in that colony for a long series of years, do you consider it right that the bargain then made or forced upon the colonists should be exacted now that prices have fallen so considerably, and the colony in the state of depression described by Mr. Barkly in his despatch of the 28th February?—At this moment turkeys are from six to eight dollars.

2955. Refer to the prices in the Current, and state whether beef is quoted at two bitts, which I apprehend will be 8 *d.*?—Yes; in my time it was 1 *s.*; mutton was 2 *s.* 1 *d.*; but although I may have put that down, let me tell you there are other reasons which entitled me to ask an additional salary, and that the Court of Policy had voted it.

2956. Then you mean to say that you did not base the increase of salary solely upon the increased prices of provisions, or upon the difference of the prices of provisions in Antigua and Guiana?—At that time that was one of my reasons. It was necessary to give a detail of the reasons; I gave that as one of the reasons; I do not know whether I gave others.

2957. Then seeing that the prices of provisions and the prices of other things, such as the salaries which are given, are very much reduced, do you consider that the salaries should be retained as at present?—If they were never to vary, I should say, perhaps, that a man might live much better than I could have done upon 5,000 *l.* a year, on a smaller salary. With regard to myself, I had no business to interfere with the salaries of the public officers, when I was on the point of departure.

2958. Then seeing that the prices of provisions and that the prices of living are very much less than they were at that period, you do not think it necessary that the bargain should be insisted upon with the colonists which was made at that period?—I do not at all infer that the bargain should be insisted upon. The second bargain was made when things were at pretty nearly the same prices at which they are now marked in the Price Current. In 1844 the prices of provisions had diminished; but that does not prevent the living in British Guiana being the most uncomfortable, from having the worst meat, the worst cooks, the worst vegetables, and the most uncomfortable mode of living that any man could possibly have, from the Governor downwards.

2959-60. Mr. *Hume.*] Have you any further observation to make?—No.

[*The Witness delivered in the following Document:*]

NAME.	REMARKS.	SALARY.
Arrindell - - - -	Episcopal Clergy recommended by the Lord Bishop. Presbyterian Clergy either sent out from Scotland or appointed by the Governor, according to seniority; invariably from resident ministers, clerks, catechists, schoolmasters gazetted on the recommendation of the various ministers of religion. -- Acting Chief Justice; being attorney-general, he was appointed during the leave of absence of Chief Justice Bent; was made attorney-general on the dismissal of Mr. Furlonge, who, though made attorney-general on my recommendation, and in result of services rendered to the late Sir Carmichael Smyth, would not fulfil his duties. Mr. Arrindell carried through the law reforms of British Guiana; and for these he was strongly recommended by me to Lord Stanley, and from him received the appointment of attorney-general. In opposition for several years.	

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NAME.	REMARKS.	SALARY.
Judge Downie - - -	- - Appointed from home by Lord Stanley; a man of great reputation and practice at the colonial bar, British Guiana. On leave, his place supplied by an advocate of Leyden, Mr. Beete.	
Firebrace - - -	Appointed in the time of Sir Benjamin D'Urban.	
Schrack - - - -	- - An attorney at law; recommended by Judge Downie and Mr. Craig; a man of high reputation and abilities; of African descent. The first opportunity I had of showing in so marked a manner that talent and character were appreciated without distinction of race. One of the best appointments in the colony.	
Bent - - - - -	- - Secretary to Chief Justice Bent, who appointed him.	
Daly - - - - -	- - Acting secretary to acting chief justice; by him appointed. The clerks in the registrar's office selected, as vacancies occur, by registrar, and recommended to the Governor for appointment.	
Admiralty of England and Vice-Admiralty Court.	- - The marshal acts as sheriff in the former, and marshal in the Vice-Admiralty Court; paid, as well as the other officers, by fees. Proctors by clients.	
Government Secretary's Office.—Walker.	Appointed by Earl Grey.	
Government Secretary's Office.—Goodman.	- - By Mr. Walker, while the latter was Lieutenant-governor.	
Wolseley - - - -	- - Appointed by Lord Glenelg. Copyists by the Government secretary.	
Houston - - - -	- - An old colonist of good reputation; clerk in the registrar's office, New Amsterdam; appointed on the dismissal of Mr. Bourne. Clerks as above.	
William Holmes - -	Provost marshal; appointed by Lord Grey.	
Turton and other clerks -	- - Appointed by the provost marshal. Paid under order of court of justice.	
Auditors of Accounts.—Bagot.	- - High sheriff; appointed by Sir Carmichael Smyth.	
Fowler - - - -	- - By Lord Glenelg; on leave, his place supplied by Mr. Carbery. Appointed by Governor Light.	
Whinfield - - -	Sheriff of Berbice; appointed by Lord Glenelg.	
Craig - - - -	- - Solicitor-general; acting attorney-general; his appointment has been sufficiently canvassed.	
Harvey - - - -	- - Acting solicitor-general; a barrister; no remark, but that he is in good practice.	
Retemeyer - - -	- - Colonial treasurer, of high reputation; appointed long before my arrival in the colony.	
Kennedy - - - -	- - A solicitor of high reputation, appointed from his fitness alone.	
Blair - - - -	Surgeon-general; appointed from his fitness alone.	
Johnstone - - -	Same remark.	
Skier - - - -	Invited to the colony by the colonists.	
M'Swiney - - -	Appointed from home.	
Forrester - - - -	No salary; honorary appointment.	
Southey - - - -	Appointed before my arrival.	
Hadfield - - - -	- - By Sir Carmichael Smyth; his duties increased; and his statistics have been considered by Lord Stanley highly valuable.	
Dalton - - - -	Postmaster-general's appointment.	
Hackett - - - -	- - One who had filled responsible appointments under Sir Benjamin D'Urban; had been an efficient public servant; had claims for services performed in Canada and British Guiana, and received his appointment in 184— on a vacancy occurring.	
Massiah - - - -	- - Patent office; appointed by Sir Benjamin D'Urban.	
Winter - - - -	- - Opposition member of the Court of Policy when appointed, being the fittest person.	
Houston - - - -	As above, so far as eligibility.	

NAMES.	REMARKS.	SALARY.
Daly - - - -	- - Inhabitant of Berbice; appointed before my arrival.	
Dare - - - -	- - Ditto; recommended by the person he succeeded; by Governor Light.	
Van Rossum - - -	- - Ditto; a respectable colonist; by Governor Light.	
Macdonald - - -	Widow of an old colonist; by Governor Light.	
Bine - - - -	Postmaster-general.	
Adams - - - -	Before Governor Light's arrival. Commissioners of Education, Poor-laws, Public Buildings; Berbice acre money (still unredeemed); without salary; law practitioners; clients.	
Humphreys - - -	- - Had done his duty well as secretary of compensation money at Dominica; was Governor Light's private secretary there and at British Guiana for several years; was recommended for place; appointed by Lord Stanley.	
Van Rossum - - -	- - By Governor Light; respectable; colonial; Berbice.	
Van Rossum - - -	By Lieutenant-governor Walker.	
Foreign agents by Home Government, or by recommendation of British Ministers at places named:		
Her Majesty's Customs -	Independent of Governor.	
Colonial Customs - -	Comptroller; by collector.	
Bagot - - - -	- - Superintendent of aid-waiters; son of the high sheriff; by Governor Light, being oldest clerk; aid-waiters, on recommendation of collector.	
S. H. Goodman - -	- - Appointed by Governor Walker; never received an appointment from Governor Light.	
Stipendiary Magistrates:		
Ball - - - -	Colonial Office; before my arrival.	
Mure - - - -	Colonial department; ditto.	
Maclellan - - -	Ditto ditto.	
Macleod - - - -	Ditto ditto.	
Lyons - - - -	Ditto ditto.	
Ware - - - -	- - Acting; by Sir Carmichael Smyth; superseded; recommended on a vacancy by Governor Light.	
Ross - - - -	Colonial Office; before my appointment.	
Beamish - - - -	- - Made acting by Governor Light a short time before his departure; since made gaoler of George Town by Governor Walker.	
Goodman - - - -	- - Son of General Goodman; captain in the army; a short time before Governor Light's departure; did his duty well.	
Carbery - - - -	- - Owner of several estates on my arrival; was not in want of employment when appointed aide-de-camp; was not made till 1843 or 1844.	
Sandiford - - -	- - By Governor Light; had been inspector of police at St. Kitt's.	
Brittain - - - -	- - By Governor Light; had previously been appointed by Sir Carmichael Smyth.	
Strutt - - - -	Colonial Office.	
Lovers - - - -	Since Governor Light's departure.	
M'Mully - - - -	- - Police magistrate of George Town; LL.D. of Trinity College, Dublin; appointed on death of Mr. Dougan; has given general satisfaction.	
Chignard - - -	Recommended by police magistrate.	
Post-holders:		
Fennell - - - -	- - Had acted under appointment of Sir Carmichael Smyth, as harbour-master; named superintendent of rivers and creeks, and afterwards post-holder and commissary of taxation, by Governor Light.	

Sir *H. Light*, K. C. B.

19 April 1849.

NAME.	REMARKS.	SALARY.
Baird - - - -	- - Had held various temporary appointments under Sir Carmichael Smyth, and finally appointed by Governor Light.	
King - - - -	Previous to Governor Light's arrival.	
Handcock - - -	Governor Light.	
W. C. Mackintosh - -	Recommended from home.	
F. Ide Wolf - - -	- - Many years post-holder, and confirmed under new title by Governor Light.	
Commissioners of Taxation	- - Selected out of eighty or a hundred applicants according to their supposed qualifications.	
Massiah - - - -	- - Sir Carmichael Smyth: remainder on recommendation of Court of Policy.	
Penal Settlement:		
Crichton - - - -	- - Confirmed on the strong recommendation of	
Subordinates - - -	the colonial members of Court of Policy.	
Longmore, res. surgeon -	- - On the recommendation of superintendents and Penal Settlement Commissioners. By Governor Walker.	
Police:		
Van Water School - -	- - Named after suggesting to several colonial members of Court of Policy and financials; Governor Light's wish they should give their opinion as to the fittest person for the office of inspector-general.	
Thompson - - -	- - A confirmation by Governor Light of an appointment made by the high sheriff; was head of the police.	
Stanley - - - -	- - On recommendation of Governor Light; head of the police at Nevis, and who bore a high character.	
Horne - - - -	- - On the recommendation of the inspector-general; had been an efficient serjeant-major of police.	
Otterbein - - -	On recommendation of inspector-general of police.	
Frost, gaoler of George Town	Recommended by high sheriff.	
Maclaughlin - - -	- - A sub-inspector of police; recommended by inspector-general.	
Filline - - -	Recommended by sheriff of Essequibo; a negro.	
Ford - - - -	Recommended by high sheriff.	
Surgeons:		
Hutson - - - -	By Sir Benjamin D'Urban.	
The remainder, except M'Creath.	- - By Governor Light, on recommendations from proper authorities; M'Creath, before Governor Light's arrival.	
Berbice Gaols:		
A. Cameron - - -	By Governor Walker.	
Smith - - - -	- - Ditto.	
Gaol Surgeon - - -	- - Ditto.	
Salaries *de jure* - -	- - To the two senior Episcopalian and Presbyterian ministers of George Town and New Amsterdam, for attending the gaols.	

Matthew James Higgins, Esq. called in; and further Examined.

M. J. Higgins, Esq.

2961. *Chairman.*] HAVE you any explanation to give to the Committee with reference to any portion of your evidence?—There are certain statements which I made to the Committee, which I heard impugned by the witness who was examined on Tuesday last. If you would allow me to have his evidence, I should like to make two or three observations. I ask for that upon the same principle on which Sir H. Light has been allowed to go over my evidence to-day.

2962. The Committee are quite ready to hear any explanation you have to make

make with reference to your own evidence, provided you do not refer to statements made by other parties; you may correct facts.—May I refer to the evidence of other parties, where they have directly stated I was in error?

M. J. Higgins, Esq.

19 April 1849.

2963. Mr. *Hume.*] If any man states you have done such a thing, and you say "I have done otherwise," you may do so.—I merely wish to set myself right upon two or three points. I wish to observe, in explanation of my statement with regard to aides-de-camp, that I mentioned the names of four gentlemen who were the Governor's aides-de-camp. They were Mr. Goodman, Mr. Bagot, Mr. Holmes, and Mr. Carbery; all those gentlemen bought estates; three of them bought them at execution sales; and I have placed official evidence before the Committee, in my answer to Question 2025, that they had not paid for them in 1848. Respecting the fourth, Mr. Carbery, there is no doubt he never paid for his estate; and my statement was called in question as being incorrect. Sir H. Light has mentioned an estate which had been advantageously sold, which he said belonged to the Baillies, of Bristol. The Nonpareil was the name of the estate. The Nonpareil estate did not belong to the Baillies, of Bristol, and it was bought by a man who had not the means of paying for it. I was concerned in the sale, and I therefore know perfectly well the facts of the case.

Martis, 24° die Aprilis, 1849.

MEMBERS PRESENT.

Sir Robert Peel.	Mr. Gladstone.
Mr. Hawes.	Mr. Adderley.
Mr. Disraeli.	Major Blackall.
Lord Hotham.	Mr. Wilson.
Sir Joshua Walmsley.	Mr. S. Wortley.
Mr. C. Villiers.	Mr. M'Cullagh.
Mr. Hume.	

HENRY JAMES BAILLIE, Esq. IN THE CHAIR.

Matthew James Higgins, Esq. called in; and further Examined.

2964. *Chairman.*] YOU have stated, in answer to Question 2098, that the amount of the salaries within the gift of the Governor of British Guiana, would be between 50,000 *l.* and 60,000 *l.* a year; have you any means of proving that fact?—I made that statement from data supplied to me from the Colonial Office; I have since gone over it, and I believe it to be perfectly accurate.

M. J. Higgins, Esq.

24 April 1849.

2965. Do you allude to the Return which has been laid before this Committee?—No, I allude to a manuscript copy of the Blue-book of Guiana, which was supplied to me by the Colonial Office at my request.

2966. Have you seen the Return which has been laid before this Committee?—Yes, I have.

2967. And in that Return, so laid before this Committee, do the salaries amount to between 50,000 *l.* and 60,000 *l.*?—I have not made the calculation, but, on looking it over, I should say that they amount to at least that; I can easily make the calculation if the Committee wish it.

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APPENDIX.

Appendix, No. 1.

COPY of a DESPATCH from Lord *John Russell* to Governor *Light*, dated 28 October 1840, transmitting Opinion of the Law Officers of the Crown relative to the Civil List Ordinances. Appendix, No. 1.

(No. 132.)

Sir, Downing-street, 28 October 1840.

I ENCLOSE to you herewith a copy of a letter addressed by my direction to the law officers of the Crown on the 9th September, and of their answer, dated the 21st instant, on the subject of the ordinances passed by yourself and the Court of Policy on the 5th and 6th May, intituled "An Ordinance for the support of the Civil Government of British Guiana;" the other intituled "An Ordinance to apply the Surplus Duties of Her Majesty's Customs, in aid of the Civil-list Establishment of British Guiana, on and after the 1st January 1841:" and also on the general question by what authority a revenue can be raised and appropriated in British Guiana.

It appears that it is competent to Her Majesty in Council to allow and confirm these ordinances, but not to impose taxes. The only funds, therefore, which can be disposed of by the Crown and the Court of Policy without the help of the Combined Court or of Parliament, are, 1st, the Surplus Customs' Duties, and 2d, the King's Chest Revenues, which revive at the expiration of the Civil List accepted by Lord Aberdeen in exchange for them.

Her Majesty's decision upon these ordinances must await the decision of Sir H. Macleod's mission. In the meantime, these monies appear to be lawfully disposable under the authority of the Governor and Court of Policy.

I request you to place this despatch and its enclosures in the hands of Sir H. Macleod, immediately on his arrival in the colony.

I have, &c.
(signed) *J. Russell.*

QUESTIONS submitted to the CROWN LAW OFFICERS, relative to the Power of the CROWN in *British Guiana*.

Sir, Downing-street, 9 September 1840.

I AM directed by Lord John Russell to submit to you the accompanying copy of an Ordinance for the support of the civil government of British Guiana, "which was passed by the Governor and Court of Policy of that colony, on the 5th of May last, and I am to request that in conjunction with Mr. Attorney-general, and Mr. Solicitor-general, you will report to me for Her Majesty's information your opinion on the question, whether it is competent to Her Majesty in Council to allow and confirm this Ordinance, and on the more general question whether it is within the power of Her Majesty in Council to raise a revenue in British Guiana, and determine its appropriation, and if not, by what other authority and under what limitations that power may be lawfully exercised.

I am also to submit to you a copy of an Ordinance passed by the Governor and Court of Policy of British Guiana on the 4th of May last, intituled, "An Ordinance to apply the surplus duties of Her Majesty's customs in aid of the civil list establishment of British Guiana, on and after the 1st day of January 1841," and I am to request that in conjunction with , you will report to me your opinion on the question whether it is competent to Her Majesty to allow and confirm this Ordinance, and if not, by what authority the surplus customs duties in British Guiana can be lawfully appropriated.

I transmit in elucidation of these questions, a variety of documents, arranged under letters from (A.) to (L.), and enumerated in the schedule prefixed to them, and for your further

Appendix, No. 1.

(A.)
See Paper ordered by the House of Commons to be printed 23d June 1840. No. 404.

assistance I proceed to state in a summary manner the circumstances which have given occasion to the enactment of the Ordinances.*

In the papers printed for Parliament, letter (A.) of the Schedule, at pp. 3 to 14, you will find copies of two despatches, dated the 1st March 1835, addressed by the Earl of Aberdeen, then Secretary of State for the Colonies, to Sir Lionel Smith, on the occasion of that functionary being sent to British Guiana to make arrangements for the establishment of a civil list. In these despatches an account is given of the system of colonial government of Demerara and Essequibo, and of the cession of Berbice to the British arms in 1803. According to that system, there were two distinct revenues raised in the colony; the one paid into what was called the sovereign's chest, which was raised and appropriated by the authority of the executive government alone; the other paid into what was called the colonial chest, the amount and appropriation of which was determined by the Governor and Court of Policy, whilst the particular taxes by which it was to be raised were indicated by a body called the Combined Court, consisting of the Governor and Court of Policy, combined with certain representatives of the people, elected for this special purpose. This system of government, in matters of finance, was altered in the year 1812, by Major-general Carmichael, then in the temporary administration of the government, without any sanction from the Crown, but merely by a proclamation of the Acting Governor and Court of Policy; and in consequence of the changes then made, the Combined Court usurped for a series of years functions properly belonging to the Governor and Court of Policy, and voted not only on the question of what should be the objects of taxation, but also on the amount to be raised, and the items of appropriation; and when, in the year 1831, the unauthorized alterations were annulled by his Majesty's Government, and the financial representatives required to confine themselves within their own province, they refused to execute their functions at all, and the supplies for the colonial chest were stopped.

Since that time the government of the colony has been carried on by temporary compromise, according to the arrangement which is detailed in the correspondence following the two despatches from Lord Aberdeen (still under letter (A.) of the Schedule), the Crown having accepted a civil list for six years, and admitted the financial representatives to the exercise of their usurped functions during that term, without prejudice to the Crown's right of restoring the legitimate system at the end of it.

The term which was thus agreed upon expires on the 31st December next. In anticipation of this period Governor Light addressed to the Marquis of Normanby the despatches of the 30th July 1839, and dates following, to the 15th October 1839, which you will find at pp. 47 to 55 of the same printed papers; and on the 10th February last Lord John Russell issued to Governor Light the instructions at pp. 56 to 60, authorizing him to propose a new civil list arrangement with a temporary compromise as to the functions of the Combined Court, similar to that which had been authorized by Lord Aberdeen, and intimating, that should the Court of Policy refuse to concur in such an arrangement, the course which Her Majesty's Government would take would be that which was contemplated by Lord Aberdeen, in his despatch, No. 28, of the 1st of March 1835 (p. 9 of the printed papers) with certain additions. You will perceive that this course involves the interposition of the sovereign power to authorize the collection of a revenue equivalent to the average receipts of the revenue formerly applicable at the discretion of the Crown.

Vide Papers ordered by the House of Commons to be printed 23d June 1840. No. 404.

In the portion of the same printed papers, from p. 61 to the end, and in the manuscript supplement appended to them, you will find Governor Light's reports of the proceedings consequent upon these instructions, and you will perceive that they issued in the refusal of the Combined Court to adopt the proposed civil list arrangement unless upon conditions foreign to the subject and such as Her Majesty's Government have no power to grant. On this ensued the stoppage of the supplies, by the refusal of the Combined Court to fix the taxes, even for the current half year during which the civil list remains to be provided for. The consequence of this conduct on the part of the Combined Court, has been the enactment by the majority of the Court of Policy, without the concurrence of the financial representatives, of the two ordinances which are now referred for your consideration.

In order to elucidate the questions which this reference will necessarily suggest, it will be desirable that I should in the first place bring under your notice the documents which explain more fully than is done in Lord Aberdeen's despatch, the origin and limitation of the functions of the Combined Court, and the circumstances under which it was first formed.

Till shortly before the year 1792 the government of Demerara and Essequibo was conducted under the more immediate direction of the Dutch West India Company, whose charter extended to that year. Whilst that company existed, the colonists and the colonial courts of justice were bound by the laws and ordinances, not only of the States General, but also of the West India Company. In anticipation of the expiration of the charter, the States General undertook previously to 1787 the consideration of some serious complaints and discontents which had arisen in the colony, and certain commissioners of their High Mightinesses, in conference with the directors of the Company, resolved on a "plan of redress." This plan, of which a translation will be found at No. 1, letter (B.) of the Schedule, received afterwards the sanction of the States-General, and on the 27th August 1788, they "requested and authorized his Serene Highness the Prince of Orange and Nassau, Hereditary Stadtholder, as Governor-general and Upper Director of the West India Company, that

(B.) No. 1.

* These enclosures are not printed, as they make a large volume.

that in the colonies of Essequibo and Demerara the necessary alterations and immediate appointments should be made."—(*See* No. 2, letter (B.) p. 2.) The Stadtholder appointed Baron Van Grovesteins and M. Boey his commissioners to proceed to the colonies and give effect to the plan. Appendix, No. 1.

On the 26th May 1789 the commissioners having arrived in Demerara, issued a proclamation, in which they recite the resolutions adopted by the States-General, and in pursuance of them dismiss all the members of the courts of policy then in office, and reconstitute those courts upon the principle of the "plan of redress." A translation of this proclamation will be found at No. 2, letter (B.) of the Schedule. (B.) No. 2.

Baron Van Grovesteins remained in the colony as governor, but the new system of government does not appear to have prevented the occurrence of fresh discontents. The colonists' complaint seems now to have been that charges were defrayed from the colonial chest which properly belonged to the sovereign's chest, and that the revenue which was at the uncontrolled disposal of the Governor, was relieved at the expense of the colony. The States-General, in a resolution of the 15th of August 1794, state, that "The whole difference consists in the determination of what properly belongs to the colony fund, as, for instance, the keeping the capital in repair; the roads, bridges, the parsons, schoolmasters, and the expenses of justice; the compensations for negroes, &c.; and that therefore this fund can be distinguished by the denomination of Fund of Colonial Expenses, or Small Charges." This resolution is quoted in a memorial dated 5th May 1796, and presented to the Governor and Court of Policy by three unofficial members of the court on behalf of the colonists. A copy of it will be found at No. 1, letter (C.) of the Schedule. (C.) No. 1. The memorialists proceed as follows: "These are the very words expressed by their Noble Mightinesses, and they perfectly coincide with the ideas of the subscribers themselves, with this distinction, however, that their Noble Mightinesses premise by asserting that in the main there exists no material difference between the two funds, as, according to their opinion, both of them are to be supplied by the inhabitants. This latter position, however, is of such a nature, the subscribers humbly maintain, as cannot be decided by their Noble Mightinesses, the Sovereign being, as they imagine, alone entitled to impose the principal taxes for the public use, in consequence whereof the duties and taxes hitherto paid to the colony* fund have been actually decreed and established by the Sovereign only. The subscribers assert this *bonâ fide*, as far as they can recollect the circumstances, the shortness of the time left them for preparing the present memorial not allowing them to gather any correct information on the subject."

The memorial from which these passages are taken, contains an elaborate retrospect of the circumstances which led to the first formation of a combined court, drawn up by three of the colonial or unofficial members of the Court of Policy, who were parties to the measure. From this document it may be collected, that the complaints of the colonists, after the adoption of the "plan of redress," were in no degree directed against the exercise of the powers of the Sovereign for the purposes of taxation, but were entirely by way of appeal to the Sovereign against the local authorities, namely, the Governor and his official majority in the Court of Policy; and they represented these authorities as not fulfilling what they assumed to have been the intention of the States-General, inasmuch as they had placed upon the revenue of the colonial chest charges which did not properly fall upon it. They represented that it was not the intention of the States-General that the four public servants in the Court of Policy, with the Governor's casting vote, should dispose of the taxes arbitrarily, and against the advice of the four colonial members of the court. On this point the memorialists quoted from a report made in the Assembly of the States-General on the "plan of redress," and especially from that part of it which related to the imposition of taxes, the following words: "The whole of this not affecting the contributions towards the colony fund, which are to be regulated by the inhabitants themselves." The memorial proceeds to state, that, on the 5th August 1790, application was made to the States-General to "determine in which class of persons the report above quoted vested the right of imposing and raising taxes, and in what mode this was to be carried into effect." The application was referred for the report of certain commissioners, but no answer was ever returned to it.

In the meantime, Baron Van Grovesteins, yielding to the remonstrances of the colonial members of the Court of Policy, laid before them, on the 12th April 1793, his private instructions as governor-general. Certain articles of these private instructions are quoted in favour of the right of the College of Kiezers to control the colonial finances, but they are too indefinite in their terms to be taken as much more than a suggestion of the manner in which these affairs were to be managed. They direct that the Governor "should carefully watch every public administration, and, so far as the same immediately concerns the colony, shall leave the superintendence thereof, not only to the colony councillors, but shall call and admit thereto a greater number of colonists, for instance, the College of Keizers, separating moreover these funds from those which belong to government, and submitting the latter mentioned to the oversight of the councillors and bookkeeper-general." Governor Van Grovesteins, after laying these instructions before the Court of Policy, was induced to consult the unofficial members of that court and the College of Kiezers as to making some arrangements which might be satisfactory to them, but as what he had to propose did not meet

* This is the word used in the copy of the document sent home, but from the drift of the argument it would appear that the sovereign's chest was the fund meant to be designated.

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meet their views, the matter was again referred for the decision of the States-General, and pending that reference the colonial members of the Court of Policy refused to concur in the imposition of any new taxes. No answer was received from the States-General till 1794, when the Governor received despatches, dated the 15th of August of that year, ordering him to examine, in a conference with the College of Keizers, what charges ought to be borne upon the colony fund, and whether the taxes necessary to meet them should not be imposed by the Governor and Council, with a certain limitation of amount, and whether the administration of the fund should not be entrusted to some college in the colony, as, for example, the College of Kiezers, and whether, in case of any difference as to what does or does not belong to that fund, the question ought not to be provisionally decided by the Governor and Council, who should at the same time transmit their opinion to their High Mightinesses. Hypothetical instructions such as these could obviously do little for the decision of the questions in dispute, and the local authorities determined to wait for something more definitive, the financial business of the colony being conducted in the meantime on the old footing. But before any further orders were received the revolution of 1795 took place in Holland; the news arrived of English troops being about to be sent to take possession of the colony; Van Grovesteins threw up the government; certain members of the Court of Policy assumed the direction of affairs by their own authority, in the absence of any better, and at the same time there happened an insurrection of the slaves.

In this general confusion, and in the urgent want of money to put down the insurrection the governing members of the Court of Policy called the College of Kiezers to a conference with them on the 22d day of June 1795, and on the 25th of that month it was resolved that the colony fund should be under the care of the colony councillors (*i.e.* unofficial members of the Court of Policy) joined to four Kiezers, who were to superintend the raising of that fund and regulate its expenditure.

The provisional government appears to have lasted but a very short time (according to Mr. Chief Justice Wray fifty days), and Van Grovesteins adhering, it is to be presumed, to the French or revolutionary party, left the colony, whilst M. Beaujon, under a nomination from the Prince of Orange, assumed the government in the interest of the opposite party.

He appears to have consented to preside in the Combined Court, as established by the provisional government, observing however that he did not choose to discuss the sufficiency of the authority by which it was established; and only giving his sanction until the pleasure of his Sovereign should be made known, and on the understanding that this provisional arrangement should not affect such orders and resolutions as in the meantime might come in from the mother country.

On the 22d April 1796, the colony surrendered to a military and naval force, under the command of Major-general Whyte and Captain Paor, of the terms of which a copy will be found under the letter (D.) of the Schedule. Those of the conditions which had reference to the system of government were, that the inhabitants should "enjoy full security in their persons, and free exercise of their religion, with the full and immediate enjoyment of all private property, whether on shore or afloat, excepting such as may belong to the subjects of the French Republic, according to their ancient laws and usages, or such other as may be determined upon previous to the colony being placed under his Majesty's Government, upon the most liberal and beneficial terms;" and that in the event of the colony's remaining under the British Government, at the conclusion of a general peace it should enjoy such commercial rights and privileges as are enjoyed by the British Colonies in the West Indies.

(D.)

Within a month after the capitulation, the manner in which the financial business was to be conducted began to be agitated between Governor Beaujon (who remained in the administration of the government) and three out of the four colonial members of the Court of Policy; the latter (as appears from the memorial above referred to) not only contending for the maintenance of the system adopted under the provisional government, but also insisting upon the capitulation as guaranteeing the Combined Court until abolished by orders from a higher quarter.

(C.) No. 2.

The Governor's answer to the memorial will be found at No. 2, letter (C.) of the Schedule. He shows that the colonial finance department (which appears to have been the designation employed for the Combined Court as established by the provisional government), whether lawfully constituted or not, could not be understood, as one of the ancient laws or usages which under the capitulation were to remain in force; that it was merely a provisional measure awaiting the pleasure of the Sovereign, and that the private instructions to Governor Van Grovesteins which had been quoted as appearing to direct some such measure, had been annulled by the positive resolution of the States General of the 11th April 1795,* which Governor Beaujon states to have ordered that everything should remain upon the former footing. The Governor then proceeds to discuss the system of financial representation upon its own merits, and reciting the arguments of some such system not being alien to the British law, and having probably been contemplated by the States General, he proposes "that the court should adjoin to the college of the government and Court of Policy (in lieu of the electors [kiezers]), who have received no mandate from the inhabitants for representing them in financial affairs, an additional number of six inhabitants entitled to vote on questions relative to the raising of colonial taxes, and for no other purpose,

* There is no copy of this resolution amongst the records of the Colonial Office.

purpose, and that each river should delegate three of these representatives to be elected every two years by such inhabitants as are qualified for that effect by the provisional plan of redress, and in such manner as is thereby directed; the whole measure, however, to be only provisional until the pleasure of His Majesty or of his representative shall be made known."

The majority of the Court of Policy agreed with the Governor, and accordingly resolved upon the repeal of the resolution of the provisional government of 23d June 1795, and the abolition of the financial department thereby established; and they proceeded to resolve, that according to the Governor's proposal, there should be six financial representatives adjoined to the Governor and Court of Policy, "who are to vote on all matters relative to the raising of taxes and examination of accounts, without any other power whatever;" and further, that as "the keizers are, in consequence of what has been resolved above, no more to be present at the sittings of this court, it is also resolved, that the Court of Policy shall again finally dispose of the colony fund, and that in urgent occurrences, during this court's recess, the immediate disposition of the fund shall be entrusted to the Governor." They add, "That a resolution shall hereafter be determined upon, if necessary, under gracious approbation from a higher quarter, tending, as far as possible, to ascertain what articles of expenditure are or are not payable out of the colony fund, in order to establish some fixed regulations on that head, to be invariably attended to in the common course of affairs. The whole of these resolutions to be determined upon until his Britannic Majesty's pleasure, or that of his representatives, shall be made known." A copy of the minutes of the Court of Policy, containing these resolutions, will be found at No. 3, letter (C.) of the Schedule. (C.) No. 3.

The Act of the Court of Policy, published in pursuance of these resolutions, will be found at No. 4, letter (C.) and bears date the 11th June 1796. (C.) No. 4.

Under the letter (E.) you will find copies of the minutes of the whole of the proceedings of the Combined Court, thus established, from its first meeting, on the 2d of August 1797, until the restitution of the colony to the Dutch on the 2d December 1802, and from that period to the second capture by the British on the 19th September 1803. (E.)

From these minutes it appears that the regular course of business was for the Governor to lay before the Combined Court an estimate of the expenses of the year, which had been previously prepared, and for the Combined Court to appoint the taxes required in order to provide the estimated sum. The only instances in which any topic was introduced beyond what was connected with the fixing of the taxes and the examination of the accounts, were at the meetings of the 2d August 1797, 20th and 21st August 1798, and the 12th January 1803.

On the first of these occasions (2d August 1797) a financial representative proposed a reward for a military exploit in defence of the colony, but the proposal was not entertained by the Combined Court, the Governor merely observing that he would take it upon himself to lay it before the Court of Policy.

On the 20th of August 1798, some of the financial representatives proposed an increase of the table money for the Governor and two other functionaries. The representative who brought forward the proposal alleging as the reason of his doing so, that it was of a nature which did not admit of the Governor's bringing it forward himself. The proposal was adopted by the Combined Court.

On the next day, 21st August 1798, the Governor asked the opinions of the members of the Combined Court on the expediency of employing an armed vessel to protect the coast of the colony. He observed "that as the present measure was closely connected with the finances, and could not possibly be carried into effect without the necessary funds," he now laid before the Assembly the terms on which the vessel could be engaged; and as it was evident that it could not be without an extraordinary tax, he "recommended to the court to consider the propriety of raising such a tax or not, and requested of the several members of the Combined Assembly to give their votes on this subject." The court advised that the vessel should not be engaged, and the Governor acted accordingly.

On the 12th January 1803 the usual statement of estimated expenses for the current year was laid before the Combined Court by the Governor, and the usual measures seem to have been taken to provide for them; but three of the financial representatives are stated to have expressed objections to two of the items. No notice seems to have been taken of their objections.

These being the only deviations to be found in the Minutes from 1797 to 1803, from the practice as established by the enactment constituting the Combined Court, it would seem to follow that the Governor had not felt himself called upon to resist or suppress suggestions of the financial representatives for allowances and gratuities to himself and others; that he felt himself also at liberty to ask their opinions on one occasion, and that on another he passed over without any recorded notice some verbal interference with items of expenditure. But that the limits prescribed to the functions of the Combined Court on its establishment were substantially maintained in practice between 1797 and September 1803.

In further elucidation of this point, there will be found at letter (F.) two despatches from Governor Beaujon to the Duke of Portland, dated respectively the 15th June 1799, and the 24th January 1800, the first giving a general account of the constitution and finances of the colony, the second containing a report of resistance by some merchants to a particular tax imposed by the colonial legislature, (meaning apparently the Combined Court) of the legal proceedings by which the tax was enforced, and of the Dutch law and usage in respect to appeals from the colonial tribunals in such cases. Towards the conclusion of the latter of these despatches, the following statement is made: "The authority existing in the (F.)

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colony for laying interior taxes certainly cannot be disputed by any person, and inseparably from this authority in this, as in all countries, the mode and object of taxation are prescribed and pointed out by those in whom the power of laying taxes is lodged. To exercise that power in common with the Governor and Court of Policy, the inhabitants within this government choose their own representatives, and these, together with the representatives which they always have in the Court of Policy, form on matters of taxation a large majority. It is understood I am here speaking of the colonial taxes, properly so called, as distinguished from the government head money."

The colony having been restored to the Dutch in consequence of the Peace of Amiens, on the 2d December 1802, was again captured on the renewal of hostilities, and a copy of the terms on which it capitulated, on the 19th September 1803, will be found at letter (G.) of the Schedule. By the 1st Article it is stipulated, that "the laws and usages of the colony shall remain in force and be respected, the mode of taxation now in use to be adhered to, and the inhabitants shall enjoy the public exercise of their religion in the same manner as before the capitulation; no new establishment shall be introduced without the consent of the Court of Police (Policy), as the Legislature of the colony." By the 14th Article, it is is stipulated that "should any difficulties arise in consequence of any dubious expressions occurring in the present capitulation, the same shall be explained or construed in the sense most favourable to the colony."

(G.)

(H.) Under letter (H.) will be found copies of the minutes of the Combined Court, from the meeting next after the capitulation being that of the 17th October 1803, to that of the 15th November 1811, being the meeting next preceding the changes made in 1812 by Acting Lieutenant-governor Carmichael.

It will be perceived that down to the 4th December 1810, the business of the Combined Court was conducted after the capitulation with as little digression as before, the following being the only instances in which any deviation appears to have taken place during that period. On the 27th November 1805, two financial representatives presented a memorial from the College of Kiezers, about the validity of a certain election of a Kiezer. But the Governor took over the memorial to be deliberated on in the Court of Policy, as it had "nothing to do with the object of the meeting." On the 28th, 30th, and 31st October 1806, the Governor, apparently in pursuance of a resolution of the Court of Policy, asked the opinions of the financial representatives on some applications for allowances, which opinions were given accordingly.

But on the 4th of December 1810, the financial representatives made a representation to the Combined Court of the insufficiency of their powers, claimed to have a control over the expenditure, and stated their intention to resign their offices, unless their claims should be admitted. The Combined Court resolved thereupon that as the constitutional changes sought could not be made without the sanction of the Sovereign, the financial representatives should be requested to specify them in a memorial, and obtain the sense of the majority of the inhabitants upon them; and if it were in their favour, then that the Governor should be requested to submit them for the approbation of his Majesty's Government. And it was further resolved that "should in the meantime any necessity arise for incurring heavy extraordinary expenses, and that necessity should admit of a sufficient delay for the purpose, the financial representatives shall be consulted on the expediency thereof."

On the 1st May 1811, at a meeting, not of the Combined Court, but of the Court of Policy, two financial representatives were admitted, to present a memorial from a number of inhabitants, in which it is acknowledged that by the then existing constitution, as expressed to the memorialists by the financial representatives, those functionaries were "compelled to confine their deliberations solely to the mode of taxation, and to checking the accounts of the receivers of taxes;" and next, it is prayed that the sanction of his Majesty's Government may be obtained to the addition of a certain number of colonial members to the Court of Policy, and the abolition of the Combined Court.

On the 15th November 1811, at a meeting of the Combined Court, one of the financial representatives inquires of the Governor concerning the fate of the memorial and the plan, and the Governor's answer is, that the Court of Policy had examined the memorial, and not finding it to be subscribed by a majority of the tax-paying inhabitants, as had been required, it had not been submitted to his Majesty's Government; but whenever that condition should be fulfilled, it would be submitted as had been promised.

The Government becoming vacant at this time, fell into the hands of Major-general Carmichael, as provisional administrator, who, in concurrence with the Court of Policy, or a part of it, issued on the 7th September 1812 a proclamation, making those important alterations in the colonial system of government which led to the usurpation by the Combined Court of a control over the expenditure. A copy of this proclamation will be found at No. 1, letter (I.)

(I.) No. 1.

The proclamation would appear to have been drawn up by some person who had not been conversant with the style of legislative enactments, or, indeed, competent to express distinctly the purposes designed to be carried into effect. The principal changes are declared in the preamble, without being afterwards included in the enactments: "Whereas by virtue of the powers vested in me by his Majesty's instructions to alter and amend from time to time the laws and regulations of these colonies, subject, nevertheless, to his Majesty's approbation, I have thought fit, by and with the advice and consent of the Honourable Court of Policy, to combine the Board of electors (College of Kiezers), with that of financial representatives, and to extend the right of suffrage to all such persons that

that pay the income tax on *f.* 10,000 (guilders) per annum, who shall have an equal right to vote in all elections in the same manner as those who are possessed of 25 negroes, as by the former regulations: And whereas it appears necessary to confine the right of voting to persons who may be attornies, sequestrators, or representatives of various plantations, it is hereby enacted," &c.; but the enactments refer merely to the right of suffrage, and the period of service of members of the Combined College of Kiezers, and financial representatives.

It might be supposed that this proclamation was merely subsidiary to some previous one, which enacted the matters first recited in it, but there appears to be no record of any other legislative proceeding on the subject, except certain resolutions passed at an "extraordinary meeting of the Court of Policy" of 7th September 1812, embodying the changes enacted as well as those recited in the proclamation of the same date. A copy of the minutes of this meeting are at No. 2, Letter (I.), and it is worthy of remark that the body which thus met and called itself the Court of Policy, consisted merely of the acting governor and three colonial members. It may be presumed that the proclamation which followed in the name of the Acting Governor and Court of Policy had the sanction of the same parties only.

(I.) No. 2.

On the 18th November 1812, the first meeting of new Combined Court took place, and Acting Governor Carmichael delivered to the Court a long address, of which a copy will be found at No. 3, letter (I). In this address the Acting Governor explains the reasons for the changes which had been made, and alleges that he had received "particular orders from the Prince Regent, which, to the best of his abilities, had been carried into effect, as far as regarded his executive authority." He also adverts to the "discretionary power at the same time vested in him;" and in the preamble of the proclamation already cited he professes to issue it "in virtue of the powers vested in him by his Majesty's instructions to alter and amend from time to time the laws and regulations of these colonies, subject, however, to his Majesty's approbation." There is nothing in the records of this office to bear out the assertions thus made by Major-general Carmichael.

(I.) No. 3.

At No. 4 to 6, letter (I), will be found a copy of the commission and instructions by virtue of which the administration of the government devolved upon him, and copies of the only instructions conveyed to him by the Earl of Liverpool, then Secretary of State, which have any bearing upon this subject. No. 7 to 13, letter (I), are copies of the reports of his proceedings; and Nos. 14, 15, and 16 are despatches from Earl Bathurst, who had succeeded the Earl of Liverpool as Secretary of State.

(I.) No. 4 to 6.

(I.) No. 7 to 13.

The fourth article of the instructions is in the following words:

"It is our will and pleasure that for the present the temporary administration of the settlement should, as nearly as circumstances will permit, be exercised by you according to the terms of the capitulation hereunto annexed (1803), and in conformity to the ancient laws and institutions that subsisted within the same previous to the surrender of the said settlement to us, subject to such directions as you shall now or hereafter receive from us under our Signet or Sign Manual, or by our Order in our Privy Council, or to such sudden and unforeseen emergencies as may render a departure therefrom absolutely necessary and unavoidable, and which you are immediately to represent to one of our Principal Secretaries of State for our information; but it is nevertheless our especial command that all powers of the executive government within the said settlements, as well civil as military, shall be vested solely in you, our Governor, or in the person having the government of the said settlements for the time being, and that such powers as were heretofore exercised by any persons separately, or in conjunction with the Governor of the said settlements, shall belong solely to you our Governor, or to the person having the government of the said settlements for the time being; and it is our will and pleasure that all such public acts and judicial proceedings which, before the surrender of the settlements to us, were in the name of the Seven United Provinces, shall henceforth be done, issued, and performed in our name."

The 15th Article provides, that "Whereas, it is absolutely necessary that we should be exactly informed of the state of the said settlements and the disposition of its inhabitants, as well at present as previous to the surrender thereof to our arms, with a view to any alteration which we may hereafter think proper to make in Government of the said settlements as established by these our commission and instructions, you are hereby strictly enjoined to make diligent inquiry, and to examine such documents, and to communicate with such persons as may best enable you to transmit to us, through one of our Principal Secretaries of State, and to the Committee of our Privy Council for Trade and Plantations, the information hereby required."

And the 16th Article contains a general provision viz., "That if anything shall happen which may be for the advantage or security of the said settlements under your Government, which is not herein or by our commission provided for, we do hereby allow you to take order for the present therein, provided nevertheless that what shall be done be not repugnant to these our commission and instructions, giving unto us, through one of our Principal Secretaries of State, speedy notice thereof, that you may receive our ratification if we shall approve the same." But although General Carmichael administered the government under these instructions, Lord Liverpool informed him (25th February 1812) that it was the intention of the Prince Regent immediately to select a person in this country to take charge of the Government during Mr. Bentinck's absence; and that as his successor would be instructed to make a very detailed report on the state of the colony, and on all matters connected with the receipt and expenditure of its finances, it was not advisable that any material alteration should be made in the general system of the govern-

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ment previously to his arrival. But that in "conformity to these instructions," he would not consider himself precluded from instituting an inquiry into any abuses in any department of the government should he have reason to suspect their existence, and if found to exist, he was authorized to apply an immediate corrective.

It will be perceived from the extracts that General Carmichael had no ground for stating in the preamble of his proclamation that power was vested in him by his instructions "to alter and amend from time to time the laws and regulations of the colonies under his government," still less to inform the Combined Court on its first meeting that he acted in pursuance of particular "orders from the Prince Regent," and of discretionary powers vested in him. Not long after he had made this assertion to the Combined Court, General Carmichael received a despatch from Lord Bathurst (who had then received accounts of the earlier measures) stating that the Prince Regent could not view without considerable surprise the strong measure to which he had had recourse, of dissolving by his own authority, without any previous communication with his Majesty's Government, the existing College of Kiezers, and directing a new election. Lord Bathurst observed that the information furnished by General Carmichael in his despatch afforded but a slight justification of the measure itself, one of the persons recommended by the college to be member of the Court of Policy being considered an improper person for the appointment, and in no degree sanctioned the change which he had made in the qualifications of the electors. His Lordship therefore signified the Prince Regent's commands that General Carmichael should not proceed on any future occasion to any fundamental change in the constitution and establishments of the colony, without having previously communicated the circumstances which might render such an alteration necessary, and received the opinion and directions of His Majesty's Government, and more especially did the Prince Regent consider this precaution to be indispensable in cases like the present, where no possible danger or inconvenience could have arisen from delay.

But before these commands were received by General Carmichael, he had proceeded to make his further and still more important changes, and in a despatch dated the 12th October 1812, is inclosed the resolution of the Court of Policy that "The office of Kiezer or electors and financial representative shall be combined, and form in future one court, and that members so elected shall serve two years."

Lord Bathurst acknowledged this despatch, and stated that having already in his despatch of the 25th November had occasion to express his opinion respecting the measures adopted for dissolving the existing College of Kiezers and altering the qualifications of electors, it was unnecessary to repeat the objections which he had thus felt (and which the issue of General Carmichael's arrangement had in no degree weakened) to the adoption of any plan of a similar nature without a previous reference to his Majesty's Government.

The last of the despatches addressed to Acting Governor Carmichael on this subject is that from Lord Bathurst in April 1813.

It is observed that as the change in the College of Kiezers had been completed, his Lordship only adverted to it again for the purpose, if possible, of more strongly impressing the necessity of a strict adherence to the established constitution of the colony. His Lordship added, "if indeed the laws and usages of the colony should appear inconsistent with the proper administration of the government it would be General Carmichael's duty to represent to his Majesty's Government the alterations which his experience might point out as necessary;" but Lord Bathurst observes, "I know of no case, not even that which you have stated, which can authorize a Governor in making such material alterations without his Royal Highness's commands.

With reference to the validity of Major-general Carmichael's proceedings, it will be observed that in his address to the Court of Policy of the 18th of November 1812 he treats the system which he subverted as having been set up during the interregnum and confusion of 1795, and continued by custom without any known law; whereas in the preceding narrative it has been shown that the system adopted by the provisional government on the 23d June 1795 was abolished by an ordinance of Governor Beaujon and the Court of Policy of the 11th June 1796, by which ordinance a different system was established in its stead.

It is true that the system of the 11th June 1796 was not confirmed by the Sovereign, and indeed the establishment of it does not appear to have been reported to his Majesty's Government otherwise than by being included in a general account subsequently given of the state of things then existing in the colony, So far therefore as the authority by which the system had been established was concerned, Major-general Carmichael (even had his attention been directed to the enactment of the 11th June 1796) might still have supposed that a system which was based only upon an ordinance of the Governor and Court of Policy might be supplanted by the same authority; but in fact the system of the 11th June 1796 was placed by the capitulation of the 17th September 1803 upon a different footing from that on which it stood previously; a validity which did not belong to it in virtue of the authority by which it was established was imparted to it in 1803 by the first article of the capitulation, which stipulated that the mode of taxation then in use should be continued.

The system having been thus fixed and confirmed, it would appear to have been not without reason that Governor Bentinck, in 1811, required, as essential preliminaries to an alteration of it, first, that the majority of the inhabitants should seek such alteration; and 2dly, that the Crown should sanction it, that is, that both the parties to the obligation contracted by the 1st article of the capitulation should unite in order to effect a dissolution

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of it; Major-general Carmichael's system, however, does not appear to have been founded upon any evidence of the majority of the inhabitants consenting to it, and, as has been seen, it did not meet with the approbation of his Majesty's Government.

It nevertheless continued in force without attracting further notice from his Majesty's Government till the year 1823, when on the occasion of the Combined Court refusing to liquidate a debt due to his Majesty's Treasury, Major-general Murray, who had succeeded Major-general Carmichael in the government, addressed to Lord Bathurst the despatch, a copy of which will be found at letter (J) containing a sketch of the systems of government in the colony from 1796 to 1812, explaining the effects which had followed from Major-general Carmichael's alterations, and stating that these alterations having been made known to his Majesty at the time they took place, he had continued to administer the government in that form which the total absence of party feeling upon the general affairs of the colony had enabled him to do. (J.)

It is true, as stated by General Murray, that the change in the constitution of the Combined Court had been made known to the Government, but the change in the functions exercised by it was not made known.

This latter change, consisting in the assumption by the Combined Court of a control over the expenditure, was not authorized by the proclamation of the 7th September 1812, and was not reported by Major-general Carmichael as having been adopted. It appears to have been a silent and unresisted usurpation, and was probably to be attributed, as Governor Murray observes, to the influence which the financial representatives obtained over the colonial members of the Court of Policy, in consequence of being, as they became under the new system, themselves the electors of those members.

It is not necessary to trouble the law officers with the minutes of the Combined Court for the years succeeding Major-general Carmichael's changes, as there is no question but that during these years the Combined Court was allowed to vote upon items of the estimates and to control the expenditure. Major-general Murray when at length, in 1823, reporting the effects of the system of 1812, recommended, as will be perceived, that any interference with it should be postponed until the union of the colony of Berbice with that of Demerara and Essequibo should have been accomplished. This union, though contemplated at that time, was delayed by various hindrances till the year 1831, but when it was at length effected, Major-general Carmichael's proclamation of 7th September 1812 was disallowed by the Royal instructions, under the Signet and Sign Manual, which were issued to Sir Benjamin D'Urban at the same time with the commission constituting him governor of the united colony.

A copy of these instructions, dated the 5th March 1831, and of the despatch accompanying them, will be found at Nos. 1 and 2, Letter (K). At No. 3 to No. 13 will be found copies of the correspondence between Sir B. D'Urban and the Secretary of State, showing the resistance of the Court of Policy and the Combined Court to the restoration of the system of 1796, and the compromise by which the supplies were obtained in 1833, when Sir B. D'Urban quitted the government. (K.) Nos. 1 & 2. „ 3 to 13.

At No. 3 of this series will be found (page 9 of the sub-enclosure) a statement of the grounds on which the financial representatives alleged that the system existing at the time of the capitulation in 1803 was identical with that established by the provisional government of 1795, and not with that substituted for it by Governor Beaujon and the Court of Policy in 1796.

As there is not any correspondence between the Secretary of State and Sir B. D'Urban's successor, Sir J. C. Smyth, which it is necessary to trouble you with, this brings down the controversy to the period of Sir Lionel Smith's mission to British Guiana. The proceedings of Sir Lionel Smith have been already referred to, as to be found in the printed papers (A). (A.)

There are some miscellaneous documents not falling into the series hitherto quoted, which may afford some further elucidation of the matter in question, and are therefore included in the schedule under letter (L). The following are the principal facts brought out in these documents. (L.)

It will be perceived by No. 1, (L) that a few hours after the capitulation instructions were received by General Grinfield, from Secretary Lord Hobart, to levy the 4½ per cent. duty on all the conquered colonies in the West Indies. The General forbore from doing so in Demerara and Essequibo in consequence of a representation from the Court of Policy which he transmits to the Secretary of State, observing at the same time that military men cannot be supposed to be acquainted with legislative and financial matters, and should have some outline or terms of capitulation given them by his Majesty's Ministers. A copy of the representation of the Court of Policy will be found at No. 1 of letter (L), together with a copy of a protest by Major-general Grinfield against the construction put on the capitulation. The court represents that the levy of the 4½ per cent. duty would be directly opposed to the first article of the capitulation, that, namely, which stipulates that the mode of taxation shall remain the same. They deny what General Grinfield seems to have alleged, that the 4½ per cent. duty was a "commercial duty," and affirm that it is one which immediately presses upon the planters, and comes within the first article; and they proceed to state that, though it were not contrary to the terms of capitulation, it would be a peculiar hardship to that colony, which maintained already a Sovereign's Chest by an annual tribute of head-money, and by the duties on produce exported by Americans. The Sovereign's Chest is described as under the exclusive administration of the Government, and they add that the existence of this chest is not unknown in England, as, if they are not mistaken, a balance of 40,000*l.* had been removed from the colony in a former year, and remitted to the British Treasury. It appears from the records of this (L.) No. 1.

Appendix, No. 1.

department that two sums, one of 35,000 *l.* and another of 6,000 *l.* had been so remitted. The levy of the 4½ per cent. duty was not carried into effect, and Lord Hobart on the 25th January 1804 sent to Governor Beaujon (then re-appointed), an extract of a letter to General Grinfield, by which he is informed that it is Her Majesty's intention to meet the wishes of the colonists by adopting any sufficient and equal mode of contribution, which they may propose as a substitute for the 4½ per cent. duty. It does not appear whether any further steps were taken in this matter.

(L.) No. 2.

No. 2 (L). On the 6th February 1804, Lieutenant-governor Nicholson reports to the Secretary of State the appointment by him of a notary public, and transmits a remonstrance of the Court of Policy against this appointment, in which remonstrance the court state that according to the laws and usages of the colony there are no persons qualified as notaries except the secretaries of the rivers, and that this has been always a part of the constitution of the colony "in which the sovereign alone is entitled to make any change," thus admitting the power of the sovereign to the extent of making constitutional changes.

(L.) No. 3.

At No. 3, of letter (L) will be found the accounts given by several authorities of the taxes which constituted the Sovereign's Chest at the period specified. You will perceive that a capitation tax on slaves was the main source of this revenue; and as the subject matter of this taxation ceased when the slaves were emancipated, it may be necessary to consider this fact in connexion with the article of the capitulation of 1803, which requires that the mode of taxation then in use should be adhered to. "Mode of taxation" appears to have been understood to mean, not the species of impost by which money was to be raised (which indeed was necessarily subject to variation from time to time), but the authority and process by which taxes were to be imposed; and so far as the Sovereign's Chest was concerned, there is no evidence of any limitation having been placed to the appointment by the Sovereign, both of the rate and of the specific nature of the taxes by which that chest was to be maintained. All the controversies previously to 1803 seem to have had reference to the mode of raising the taxes for the colonial chest, and to the control of the expenditure of that chest only.

(L.) No. 4.

4. At No. 4, letter (L), will be found a copy of a despatch from his Majesty's Minister at the Hague to Viscount Palmerston, dated 1st February 1833, enclosing a statement drawn up by an eminent Dutch lawyer, in answer to the question, whether in the colony of Demerara, under the Dutch rule, the Court of Policy had an exclusive power of legislation; or whether, on the contrary, the laws emanating from the parent state were not indisputably binding on the colonists.

(L.) No. 5.

At No. 5, letter (L), is a copy of a petition addressed to his Majesty in Council by various inhabitants of Demerara, questioning the validity of Orders of his Majesty in Council for regulating certain internal affairs of the colony, and a copy of the answer returned to them by direction of the Lords of the Council, on the 19th February 1833. The petitioners do not appear to have prosecuted their case any further, when referred by the Lords of the Council to the ordinary course of legal procedure.

(L.) No. 6.

At No. 6, letter (L), is an admission of the validity of all Orders of the King in Council, as the supreme law of the land, recorded by Mr. Van Berkal, a member of the Court of Policy, then opposing the measures of his Majesty's Government. Mr. Van Berckel was an eminent lawyer in the colony, both under the Dutch and English rule.

(L.) No. 7.

At No. 7, letter (L), are copies of legal opinions, of the 2d of March 1802, by Mr. Attorney-general Law, and copy of a legal opinion, without date, of Mr. Henry Brougham, in reference to questions in some degree analagous to the present, which had arisen as to the right of his Majesty to legislate by his prerogative for the island of Trinidad.

(L.) No. 8.

The statement at No. 8, letter (L), is intended to elucidate a question which may probably occur to you in considering the period of time to which the obligations incurred by the capitulation, to which reference is made in the accompanying papers, are to be regarded as extending. Lord Aberdeen writes as follows in his despatch of the 1st March 1835:—"At the termination of the war, the very possession itself of the colony became a matter of arrangement between the countries theretofore belligerent; and when that question was decided by the treaty of peace in favour of England, she held the colony from that time forth, not in virtue of the conquest and capitulation, but in virtue of the cession by treaty;" and his Lordship observes, that "it is not to be supposed that articles of capitulation intended to regulate a tenure by a hostile power during war, are of avail to fix the laws of the colony in perpetuity." On the other hand it may possibly be argued, on the ground of some expressions in Lord Mansfield's judgment in the case of Campbell *v.* Hall, that the force of articles of capitulation is not always, and to all intents and purposes, concluded by cession; since Lord Mansfield, after stating in the 3d of the series of propositions laid down in that judgment, that "the articles of capitulation upon which the country is surrendered, and the articles of peace by which it is ceded, are sacred and inviolable according to their true intent and meaning," proceeds in the 5th to make reference to the capitulation. as if it had still a relevancy to the case, though the case was one in which cession by treaty had taken place. Yet it cannot be inferred that Lord Mansfield regarded articles of capitulation as of force in perpetuity, since in a subsequent part of the same judgment, he refers to a case connected with Jamaica and to a distinction of law turning upon the question whether it remained a conquest or was made a colony;" and with a view to this question, he states the information he had received of there being few or no Spaniards remaining on the island at a particular period. It is in order to elucidate the question of the number of Dutch remaining in British Guiana that the documents have been collected, which will be found at No. 7, letter (L). You will find that at the beginning

beginning of the present year, there were no more than 16 plantations belonging to Dutch proprietors resident in Holland, and 11 which were subject to the interests of Dutch mortgagees. Appendix, No. 1.

You will observe that, in submitting to you these various documents in elucidation of the constitution of British Guiana, I have confined myself to the history of Demerara and Essequibo only, and have not troubled you with any account of the colony of Berbice before its annexation to Demerara and Essequibo; and it is necessary to apprize you that I have regarded the earlier history of Berbice as immaterial to the present question, inasmuch as it has never been disputed that the power of the Crown was absolute in Berbice so long as it remained a separate colony, there being no Court of Policy there, nor any other body partaking of a popular or representative character.

I have, &c.

To the Law Officers of the Crown, &c. &c. &c.

(signed) *Jas. Stephen.*

SCHEDULE of Enclosures referred to in preceding Letter.

Ordinance for the support of the Civil Government of British Guiana, passed by the Governor and Court of Policy on the 5th May 1840.	No. 1.
Ordinance to apply the Surplus Duties of Her Majesty's Customs in aid of the Civil List Establishment of British Guiana, on and after the 1st January 1841.	No. 2.
Papers printed for Parliament, 1840. Correspondence relative to the provision of a Civil List, 1835 to April 1840.	(A.) No. 1.
Various Despatches, dated April and May 1840, comprising Governor Light's Reports of the Proceedings upon Lord John Russell's Instructions, February 1840.	(A.) Sequel.
Plan of Redress, 19th March 1787.	(B.) No. 1.
Proclamation, 26th May 1798.	(B.) No. 2.
Memorial to the Governor and Court of Policy of Demerara, 10th June 1796.	(C.) No. 1.
Answer of Governor Beaujon to Memorial. Resolutions of the Court of Policy, 1796.	(C.) No. 2
Minutes of Court of Policy, May 1796.	(C.) No. 3.
Act of the Court of Policy, 11th June 1796.	(C.) No. 4.
Capitulation of Demerara, 1796.	(D.)
Minutes of the Proceedings of the Combined Court from its First Meeting, 2d August 1797 until the Visitation of the Colony by the Dutch, and from that period to the Second Capture by the British, 19 September 1803.	(E.)
Two Despatches from Governor Beaujon to the Duke of Portland, dated 15th June 1799 and 24th January 1800.	(F.)
Second Capitulation of Demerara, 19th September 1803.	(G.)
Minutes of the Combined Court next after the capitulation, being that of the 17th October 1803, to that of the 15th November 1811.	(H.)
Proclamation of Acting Governor Carmichael, 7th September 1812, changing the colonial system of Government.	(I.) No. 1.
Resolutions of the Court of Policy, 7th September 1812, embodying the changes enacted by Acting Governor Carmichael's Proclamation.	(I.) No. 2.
Address of Acting Governor Carmichael to the Combined Court, 18th November 1812.	(I.) No. 3.
Commission and instruction under which the government of Demerara devolved on Acting Governor Carmichael.	(I.) No. 4.
Copy of the Earl of Liverpool's instructions to Acting Governor Carmichael.	(I.) No. 5.
Copies of the reports of Acting Governor Carmichael's proceedings.	(I.) No. 6 to 10.
Extracts of Lord Bathurst's despatch to Acting Governor Carmichael, disapproving his proceedings, 25th November and 19th December 1812.	(I.) No. 10 and 11.
Despatch from Major-general Murray to Lord Bathurst, containing a sketch of the system of government in the colony, from 1796 to 1812.	(J.)
Royal instructions, March 1831.	(K.) No. 1.
Correspondence between Sir Benjamin D'Urban and the Secretary of State, showing the resistance of the Court of Policy and the Combined Court to the restoration of the system of 1796.	(K.) No. 2 to 13.
Miscellaneous documents :—	(L.)
Instructions received by General Grinfield from Lord Hobart, levying the 4 ½ per cent. duty in the conquered colonies.	(L.) No. 1.
Representation of the Court of Policy against the payment of the 4 ½ per cent. duty, as opposed to the first article of the capitulation.	(L.) No. 2.
Accounts given by several authorities of the taxes which constituted the Sovereign's Chest, at the periods specified.	(L.) No. 3.
Correspondence between the Colonial and Foreign Departments in 1832 and 1833, with Dutch legal opinions.	(L.) No. 4.
Address to His Majesty in Council, by various inhabitants of Demerara, questioning the validity of the Order of His Majesty in Council, for regulating certain internal affairs of the colony; and copy of the answer returned, 19th February 1833.	(L.) No. 5.
Copy of a minute of the Court of Policy, containing an admission by M. Van Berckel, of the authority of all Orders in Council, as the supreme law of the colony.	(L.) No. 6.

(L.) No. 7. Copies of legal opinions, 22d March 1802, by Mr. Attorney-general Law and of Mr. Brougham.

(L.) No. 8. Statement to elucidate the question as to the period of time to which the obligations incurred by the articles of capitulation are to be regarded as extending; and the number of Dutch at present remaining in British Guiana.

My Lord, Doctors' Commons, 21 October 1840.

We are honoured with your Lordship's commands, signified in Mr. Stephen's letter of the 9th ultimo, stating that he was directed to submit to us the accompanying copy of an ordinance "for the support of the civil government of British Guiana," which was passed by the Governor and Court of Policy of that colony on the 5th of May last; and to request that we would report to your Lordship, for Her Majesty's information, our opinion on the question, whether it is competent to Her Majesty in Council to allow and confirm this ordinance; and on the more general question, whether it is in the power of Her Majesty in Council to raise a revenue in British Guiana, and determine its appropriation; and if not, by what other authority, and under what limitations, that power may be lawfully exercised.

Mr. Stephen also states that he is directed to submit to us a copy of an ordinance passed by the Governor and Court of Policy of British Guiana on the 6th of May last, intituled "An Ordinance to apply the Surplus Duties of Her Majesty's Customs in aid of the Civil List Establishment of British Guiana, on and after the 1st day of January 1841;" and to request that we would report to your Lordship our opinion, whether it is competent to Her Majesty to allow and confirm this ordinance; and if not, by what authority the surplus customs duties in British Guiana can be lawfully appropriated.

Mr. Stephen transmits, in elucidation of these questions, a variety of documents arranged under letters from A. to L., and enumerated in the schedule prefixed to them; and, for our further assistance, proceeds to state in a summary manner the circumstances which have given occasion to the enactment of the ordinances.

Having perused all these papers and taken them into our serious consideration, we have now the honour to report to your Lordship, that in our opinion it is competent to Her Majesty in Council to allow and confirm the first-mentioned ordinance, if Her Majesty should be so advised; but it appears to us that such allowance and confirmation would be nugatory, for the main enactments in this ordinance are conditional, being made to depend upon the civil list thereby established being adopted and provided for by the Combined Court, and the Combined Court having rejected the civil list and stopped the supplies.

With the concurrence of the Combined Court, there can be no doubt that this ordinance might have been carried into effect; but as matters now stand in the colony, the finances must be conducted as if this ordinance had not passed.

We are of opinion that the second ordinance, for applying the surplus of the customs, is valid; and being confirmed by Her Majesty, may be carried into complete effect. The statute of the Imperial Parliament 3 & 4 Will. 4, c. 59, s. 13, makes this fund disposable by the colonial legislature, and we think that the Court of Policy is the body in whom the power of disposition is reposed in British Guiana; the Court of Policy having legislative power, subject to the control of the Crown and of Parliament, except with respect to the imposition of taxes. We conceive that the Combined Court can, neither by grant nor usage, make any just pretension to direct the disposition of this fund.

But still the question arises, which your Lordship has been pleased to propound to us, whether it is in the power of Her Majesty in Council to raise a revenue in British Guiana, and determine its application?

We are of opinion that such a power cannot be legally and constitutionally exercised by Her Majesty.

British Guiana does not appear to us to be in the situation of a conquered colony, in which the Crown has supreme legislative authority.

By the capitulation of the 19th September 1803, it was stipulated "that the laws and usages of the colony should remain in force and be respected; that the mode of taxation then in use should be adhered to; and that no new establishment should be introduced without the consent of the Court of Policy, as the legislature of the colony."

This capitulation is binding in good faith upon the Crown; and even in strict law we conceive that the sanction of the Crown since the cession of the colony, to the political institutions in existence, has given the same force to these institutions as if they had been established by an express grant from the Crown, like the legislatures in colonies settled by British subjects.

The researches which have been made show that the Dutch colonies in Guiana were subject to the supreme authority of the States General, and without this usage it must be understood that British Guiana is now subject to the supreme authority of the British Parliament. But we do not think that the Crown can be considered as now coming in the place of their High Mightinesses, even if they could have imposed taxes and appropriated them in Demerara and Essequibo.

Looking to the laws and usages and mode of taxation prevailing in the colony in 1803, and since sanctioned by the Crown, we are clearly of opinion that no tax can lawfully be imposed there except by the Combined Court. Notwithstanding the recent origin of the representatives for taxation, they were fully established in 1803, and have been uniformly recognised

recognised since that time, while they confined themselves to their proper functions of providing ways and means for the supplies voted by the Court of Policy.

The King's chest was certainly provided for by taxes, over which neither the Court of Policy nor the Combined Court had any control; but we do not find any provision in the constitution of the colony for adding to these taxes, or substituting others for them, in case they should be extinguished or become unproductive.

We give no weight to Governor Carmichael's proclamation of 1812, or the usage under it; and we consider the Order in Council of 1831, rescinding it, as placing things in the same state in which they had been before this proclamation was issued.

But whatever doubts there might be as to the power of the Combined Court to interfere with the estimates, its exclusive power to raise a revenue by internal taxation has been uniformly admitted and acted upon.

Therefore, however much the members of the Combined Court may misconduct themselves, we apprehend that their power of taxation cannot be considered as transferred to the Crown.

The only other question submitted to us by your Lordship is, "By what other authority, and under what limitations, that power may be lawfully exercised?"

We are of opinion that if the Combined Court refuses to act, there is no mode in which a tax can lawfully be imposed in British Guiana without the interposition of the Imperial Parliament.

We do not think that the power of taxation can be considered as reverting to the Court of Policy; and we humbly conceive that Governor Light's scheme, of imposing a duty by the Court of Policy, with the concurrence of the Crown, on British goods imported, cannot lawfully be carried into effect. It is impossible to draw a distinction between this and any other tax to be paid by the colonists; and it cannot be supported without insisting upon an unlimited power of taxation, to be exercised jointly by the Crown and the Court of Policy.

This is as inconsistent with the capitulation, and the subsequent usage, as a power of taxation to be exercised separately by the Crown or the Court of Policy. Nothing, therefore, remains but the power of the Imperial Parliament; and we are of opinion that, in a case of extremity like that which has arisen, this power may both legally and constitutionally be exercised to raise the necessary revenue in British Guiana, and to determine its appropriation. The representative members of the Combined Court having broken their contract and abdicated their functions, the safety of the State requires that the supreme power of the mother country should be called in to supply the deficiency.

Under these circumstances we conceive that Parliament might, without any just objection, remodel the constitution of the colony, and confer the power of imposing taxes in British Guiana, for the benefit of the inhabitants, upon some new body that might be expected to exercise it with discrimination, loyalty, and disinterestedness.

It is earnestly to be hoped that the representative members of the Combined Court will now see how unjust and absurd the conditions are for which they have struggled; and that they will make provision for the wants of the government upon the principle of your Lordship's despatch of the 4th of February last. If not, we are unable to point out any mode by which the government of the colony can be carried on without an application to Parliament. Governor Light's scheme supposes the power of imposing a tax on imported goods to exist in the Court of Policy, with the approbation of the Crown; but we apprehend that the Combined Court cannot thus be superseded and extinguished.

We have, &c.

(signed) *J. Dodson.*
J. Campbell.
Tho. Wilde.

To the Right Hon.
The Lord John Russell,
&c. &c. &c.

Sir, Downing-street, 4 November 1841

I AM directed by Lord Stanley to transmit to you the copy of a letter addressed to the law officers of the Crown in the course of last year by desire of Lord John Russell, on the occasion of the refusal of the Combined Court of British Guiana to grant a civil list.

9 September 1840. Page 209.

You will observe that the letter to the law officers of the Crown contains a summary statement of the circumstances which had given rise to the financial questions then in dispute, and enters likewise into a general review of the constitution of British Guiana.

The series of documents (to which reference is made in that letter) as enumerated in the schedule prefixed to them, is also transmitted to you.

(A.) to (L.) Page 219.

I am also to direct your attention to the accompanying copy of a report from the law officers of the Crown in answer to the questions so proposed for their consideration. You will observe that Her Majesty's late attorney and solicitor general have in their report of 21 October 1840 laid down in the most comprehensive and unqualified terms the proposition that The Queen in Council does not possess any legislative authority over the colony of British Guiana. In estimating the weight due to that high authority Lord Stanley has found himself pressed by some difficulties. The doctrine thus stated by the preceding legal advisers of the Crown was more extensive than was perhaps required by the question under their consideration, or by the exigencies of the argument in which they were engaged. For the purposes of that argument it was enough to establish that the power of imposing taxes without the consent of the local legislature and the Combined Court was not vested in Her Majesty in Council. This narrower

21 October 1840. Page 220.

Appendix, No. 1.

narrower conclusion would also have been more in conformity with a series of remarkable precedents, which would seem to establish the legislative authority of The Queen in Council in matters not fiscal. For example, the slave trade was abolished in British Guiana by an Order in Council of the year 1805, which Order in Council is expressly recited and recognised as lawful in the statute 46 Geo. 3, c. 52. Again, the existing court of justice of the colony exists in virtue of a legislative Order in Council of the year 1831. By an Order of the same kind, in the year 1839, various regulations were made regarding the militia of British Guiana. Even the peculiar constitution of the local legislature is regulated by the Royal commission and instructions issued by the advice of the Privy Council. Such Orders in Council have invariably been executed by the courts of justice of the colony, nor does any doubt appear to have been thrown on the lawfulness of them there.

Lord Stanley having in contemplation to submit to The Queen in Council a legislative Order affecting British Guiana, but not imposing any tax or duty, is desirous to receive the joint opinion of yourself, Mr. Attorney-general, and Mr. Solicitor-general, on the question, whether in cases in which it is not intended to impose any tax or duty, the legislative powers of the Sovereign in Council, which have hitherto been asserted and exercised over British Guiana, can or cannot be lawfully asserted and exercised by Her Majesty in Council.

I have, &c.
(signed) *G. W. Hope.*

To the Law Officers of the Crown,
&c. &c. &c.

My Lord, Doctors' Commons, 23 Feb. 1842.

We are honoured with your Lordship's commands, signified in Mr. Hope's letter of the 4th of November last, stating that he was directed to transmit to us the copy of a letter addressed to the law officers of the Crown in the course of the year 1840, by desire of Lord John Russell, on the occasion of the refusal of the Combined Court of British Guiana to grant a civil list.

Mr. Hope proceeds to observe that the letter to the law officers of the Crown contains a summary statement of the circumstances which had given rise to the financial questions then in dispute, and enters likewise into a general view of the constitution of British Guiana.

(A.) to (L.)

That the series of documents (to which reference is made in that letter) as enumerated in the schedule prefixed to them is also transmitted to us.

21 October 1840.

Mr. Hope is also pleased to direct our attention to the accompanying copy of a report from the law officers of the Crown, in answer to the question so proposed for their consideration.

That we shall observe that the present Queen's advocate, and the late attorney and solicitor general have in their report of the 21st of October 1840, laid down in the most comprehensive and unqualified terms the proposition, that the Queen in Council does not possess any legislative authority over the colony of British Guiana. That in estimating the weight due to that high authority, your Lordship has found yourself pressed by some difficulties.

That the doctrine thus stated by the preceding advisers of the Crown was more extensive than was, perhaps, required by the question under their consideration, or by the exigencies of the argument in which they were engaged.

That for the purposes of that argument it was enough to establish that the power of imposing taxes without the consent of the local legislature and the Combined Court was not vested in Her Majesty in Council.

That this narrower conclusion would also have been more in conformity with a series of remarkable precedents which would seem to establish the legislative authority of the Queen in Council in matters not fiscal.

For example, that the slave trade was abolished in British Guiana by an Order in Council of the year 1805, which Order in Council is expressly recited and recognised as lawful in the statute 46 Geo. 3, c. 52. Again, that the existing court of justice of the colony exists in virtue of a legislative Order in Council of the year 1831. That by an Order of the same kind in the year 1839, various regulations were made regarding the militia of British Guiana.

That even the peculiar constitution of the local legislature is regulated by the Royal Commission, and instructions issued by the advice of the Privy Council have invariably been executed by the courts of justice of the colony, nor does any doubt appear to have been thrown on the lawfulness of them there.

That your Lordship having in contemplation to submit to the Queen in Council a legislative order affecting British Guiana, but not imposing any tax or duty, is desirous of receiving our joint opinion on the question whether in cases in which it is not intended to impose any tax or duty, the legislative powers of the Sovereign in Council, which have hitherto been asserted and exercised over British Guinna, can, or cannot, be lawfully asserted and exercised by Her Majesty in Council.

In obedience to your Lordship's commands, we have taken these papers into consideration, and have the honour to report that we are of opinion that in those cases in which it is not intended to impose any tax or duty, the legislative power of the Sovereign in Council which has hitherto been asserted and exercised over British Guiana may be lawfully exercised by Her Majesty in Council.

We

We do not consider that the Crown has parted with its supreme legislative authority over the colony which was vested in it by right of conquest (in matters not fiscal) either by the terms of the capitulation and treaty, or by the sanction which it has given to the legislative acts of the Court of Policy, the Crown having continued at all times to assert and exercise this power in every matter of internal Legislature not connected with the raising of taxes within the colony. Appendix, No. 1.

We have, &c.

J. Dodson.
Fred. Pollock.
W. Follett.

To the Right Hon. The Lord Stanley,
&c. &c. &c.

Appendix, No. 2.

COPY of the INSTRUCTIONS given by Lord *John Russell* to Sir *Henry Macleod*, in 1841, and of any Correspondence between Sir *H. Macleod* and any Members of the Court of Policy, or Combined Court, on the subject of the Renewal of the Civil List, in that year.

— No. 1. —

(No. 1.)

COPY of a DESPATCH from Lord *John Russell* to Governor Sir *Henry Macleod.*

Sir, Downing-street, 30 September 1840.

Appendix, No. 2.
Trinidad, No. 2.

THE state of affairs attending the expiration of the civil list in British Guiana has led to serious difficulties in making permanent arrangements for carrying on Her Majesty's service in that colony, and as Her Majesty's Government are disposed to think that those difficulties may be in some degree aggravated by the personal feelings which are almost unavoidably generated in the progress of such a controversy as that which it has been the duty of Governor Light to conduct with the Court of Policy and Combined Court, they consider it expedient to call in the assistance of some functionary who has not been hitherto engaged in the discussion, to act on behalf of Her Majesty's Government, instead of the Governor of the colony, and to try once more whether by this means the questions at issue cannot be brought to a satisfactory adjustment without the adoption of extreme measures.

Her Majesty's Government have selected you to act for them on this occasion, and I have to request that as soon after your receipt of this despatch as may be convenient you will repair to British Guiana for the purpose of renewing the proposal which has been made by Governor Light, and negotiating with the Combined Court on the basis of that proposal, taking care at the same time to limit your interposition in the affairs of the colony strictly to that object.

When I received the intelligence of the failure of Governor Light's negotiations, it appeared to me to be necessary that Her Majesty's Government should ascertain, upon the authority of the law officers of the Crown, whether two ordinances passed by Governor Light and the Court of Policy, without the consent of the Combined Court, for revenue purposes, could be lawfully carried into operation, in order that I might judge how far it would be practicable, notwithstanding the opposition of the local representative bodies, to carry on the government of the colony without the aid of Parliament. With this view a statement of the whole case has been prepared for the consideration of the Queen's Advocate and of Her Majesty's Attorney and Solicitor General, and I have requested them to favour me with their opinion upon it at their earliest convenience.

I enclose a copy of this statement, together with such of the documents belonging to it as are necessary to place you fully in possession of the history and the present state of the questions at issue. 9 September 1840. Vide Appx. No. 1, p. 209.

On consulting the correspondence between me and Governor Light you will perceive that there is no difference of opinion between me and the Combined Court as to the civil list which is required. The civil list passed conditionally by the Combined Court meets my wishes on that subject. The Combined Court have proposed 5,000 *l.* sterling for the Governor's salary, and it would not be proper that any further discussion on that point should take place; but if there were any other item on which you were of opinion that a reduction should be made, you would be fully at liberty to assent to it. You will also perceive that the conditions with which the Combined Court have coupled their grant of a civil list are such as it is beyond the power and authority of the Queen's Government to fulfil. It is not in my power to hold the British Parliament and the Government of India to the obligations which the Combined Court of British Guiana wish to impose upon them, either as respects immigration or as respects commercial duties.

You will therefore represent to the Combined Court the obvious impossibility of assenting to these conditions, and you will propose to them that they should pass their own civil list without the conditions. If the duration formerly proposed is objected to, you may agree to a civil list for seven years; but as you will observe that the Combined Court failed to make provision for the last half-year of the civil list which they had agreed to, for the term expiring on the 31st of December next, you will be under the necessity of requiring

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that the funds for the civil list which you are to negotiate shall be secured by a prospective law, for the term which shall be agreed upon.

If you should succeed in obtaining a civil list, you will then propose the ordinary supplies and Revenue Bill for the year, and the imposition of the duties which have lately expired.

I shall expect to receive your report of the result of your mission before the meeting of Parliament, and I have no doubt that I shall be in possession of the opinion of the law officers of the Crown on the questions referred to them as soon as the pressure of other business and the voluminous mass of documents connected with the case will admit. I am disposed to think, however, that their opinion will hardly preclude the necessity of applying to Parliament, if your mission should fail. At all events, I shall then be in a situation to judge of the course to be taken for carrying on the public service in British Guiana.

I have, &c.
(signed) *J. Russell.*

P.S. I have just received a despatch from Governor Light, of 3 August, No. 114, of which I enclose a copy for your further information.

— No. 2. —

(No. 4.)

COPY of a DESPATCH from Governor Sir *Henry Macleod* to Lord *John Russell.*

Demerara, 12 December 1840.

Guiana, No. 4. Special Service.

My Lord, (Received, 23 January 1841.)

I HAVE already reported to your Lordship that it was my intention to embark for Guiana in the same steamer which brought to me Her Majesty's commission as Governor of that province.

Accordingly, on the return of the packet from La Guayra I proceeded to Barbados, where I arrived on the 24th ult., with the view of passing over to Demerara in the steamer which should carry thither the following mail. Having, however, waited several days in expectation of the arrival of the packet, and finding that the senior naval officer on the station thought himself precluded from assigning a vessel of war or steam-boat to convey me to Guiana, I was induced by the wish your Lordship had expressed to receive a report of my proceedings before the meeting of Parliament, to hire a schooner, in which I reached this place on the 6th inst.

On the following day I was sworn into office, when I took occasion to make to the Court of Policy a short address, of which I enclose a copy, and from which your Lordship will perceive that, with the view of arriving at a just conception of the question at issue, I have invited the fullest communications from the parties concerned.

In compliance with that invitation a deputation of the unofficial members of the Combined Court have waited upon me, and informed me that they will be prepared in the course of two days from this time to furnish me with their written representations.

I have, &c.
(signed) *H. Macleod.*

Enclosure in No. 2.

SPEECH of His Excellency Sir *H. G. Macleod* to the Court of Policy.

HER Majesty's Government have been pleased to direct me to assume the government here for a special purpose. The service imposed on me is one of extreme delicacy, and one which I should not certainly have sought for; but from the employment I hold under the Crown, I am bound at all times to perform any duty with which Her Majesty might direct me to be entrusted.

The duty confided to me is to endeavour to settle a civil list on the Crown, and to obtain provision for the ordinary supplies, but from the correspondence I shall have to consult, and from other necessary preliminaries, it may be some short time before I can assemble the Combined Court, and as in addressing this body, I am, in fact, speaking to a constituent part of it, I beg to observe that I come here a perfectly disinterested and unbiassed party. I can have but one object in view—that of bringing the discussions which have arisen on the points in question to a satisfactory conclusion.

To enable me, however, to arrive at a fair decision on the subject, I must invite the fullest and earliest communication from the members of both courts, for it is only by such, in conjunction with the correspondence I have already alluded to, that it will be possible for me to regulate my future proceedings. Much discussion, and of an angry nature, has taken place on the question, and though we may be led away for the moment by strong feelings of what we may conceive to be our respective duties to the colony, yet ought we to be ever ready, from a like feeling, to revise our opinions.

If, happily, and I will not permit myself to doubt it, the question at issue should be effectually adjusted, it will not only be with me a matter of great pride to be the medium of announcing so desirable an issue to the negotiation; but it will be of the much greater public importance to be enabled to report that this valuable part of Her Majesty's colonial possessions is restored to that happy unanimity in the transaction of the public business, which can alone secure to you the fruits of good government, and by which alone this province can prosper, and remain the rich and important colony which it ought always to be.

Guiana Public Buildings, 7 Dec. 1840.

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— No. 3. —

(No. 5.)

COPY of a DESPATCH from Lord *John Russell* to Governor Sir *Henry Macleod.*

Sir, Downing-street, 30 January 1841.

No. 5.

I HAVE to acknowledge the receipt of your despatch, British Guiana, No. 4, of the 12th December, reporting your arrival in that colony, and enclosing a copy of your address to the Court of Policy on the occasion.

I have much pleasure in approving of your address, which appears to me to have been judicious.

I have, &c.
(signed) *J. Russell.*

— No. 4. —

(No. 5.)

COPY of a DESPATCH from Governor Sir *Henry Macleod* to Lord *John Russell.*

George Town, Demerara, 11 January 1841.

My Lord, (Received, 20 February 1842.)

Guiana.
Special Service.
No. 5.

IN my despatch, No. 4, of the 12th ultimo, I acquainted your Lordship that I was in daily expectation of receiving the representations of the unofficial members of the Combined Court on the subject on which your Lordship had deputed me to proceed here.

Accordingly, on the 15th of December, a deputation of these gentlemen presented to me a paper recapitulating the transactions of the two last years in which they have been so unfortunately at issue with the Executive. (A.) p. 227.

This letter, and the voluminous documents by which it was accompanied, were intended, indeed avowed, to be a defence against the "accusations" preferred against them to Her Majesty's Government.

But, in assuring them of the entire absence of any such unfavourable opinion of their conduct, I stated distinctly that I was not empowered to enter upon a review of any part of Mr. Light's administration, and that I was anxious to approach the discussion of the particular question on which I had been commissioned with as little reference as possible to past events. (A.) p. 231.

I requested, therefore, that some one or two of the members might be appointed to communicate with me personally on their behalf, in regard to a fit and permanent provision for the civil government of the colony.

On the following morning, the 17th, two of the unofficial members of the Court of Policy, and two of the financial representatives waited upon me. (A.) p. 231.

Having explained to these gentlemen that your Lordship quite acknowledged the sufficiency of the civil list which they themselves had offered in April last, but that you were unable to accept it on the conditions by which it was accompanied, it was not until after a good deal of complaint, and of reference to the discussions and disputes of the last year, subjects on which I am not called upon to enter, that I prevailed on them to proceed with me to the consideration of a civil list establishment.

I suggested that their own list of April last should form the basis of our proceedings; but they insisted, that as one part of their tender had been rejected, the other must fall to the ground. They referred to your Lordship's despatch of the 10th of February last, in which you left it to Mr. Light's discretion to admit some reduction of the salaries, provided that none were reduced below their existing rate, and they spoke of a simple renewal of the Civil List Ordinance about to expire. *Vide* Papers relative to British Guiana Civil List, Ordered by the House of Commons to be Printed, 23 June 1840, No. 404, p. 56.

We accordingly took up Sir James C. Smyth's Bill of February 1836, and proceeded to revise the various items for which it provided. (B.) No. 1.

I received a most ready assent to the increase of the Governor's salary, and some addition was also willingly made to the present salaries of the judges.

In regard to the new item for stipendiary magistrates, some opposition was manifested towards placing it on the civil list, but was not persisted in when I declared my inability to yield the point.

But although at this interview I succeeded in obtaining from these gentlemen such concessions as contributed to the more suitable maintenance of the head of the government, and secured the independent administration of justice, I found that they were not empowered by their colleagues to agree—in fact they objected—to those further increases which the position and services of most of the other executive officers appeared to demand.

I addressed the deputation therefore in writing, as the best means of enabling them to collect the opinion of the other members of the Court; and at the termination of our correspondence, I had obtained their consent to an increase of the Government secretary's salary, to some additions to the salaries of the other officers, and to a small provision for the situation of solicitor-general. (A.) p. 231 et seq.

I made the most earnest endeavours to persuade them to supply the additional sum now paid from the relief grant at home on account of pensions chargeable against the colony, and to enact some regulations for the superannuation of the public officers; but on both these points they maintained, as heretofore, a determined resistance, and it was impossible for me to urge them more strongly than was done, particularly on reference to your Lordship's distinct acquiescence in their own civil list arrangement, which did not comprise a provision for either object.

There were two points on which I promised to bring the suggestions of the financial representatives before your Lordship.

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In regard to the first of these, the separation, when an opportunity offers, of the places of Government secretary and secretary to the Court of Policy, I would respectfully refer you to their own representation. I confess my own judgment to be in favour of the eventual separation. The present arrangement places the Government secretary in the anomalous position of being a member, and at the same time the servant, of the Court of Policy, and I cannot discover that any inconvenience would arise from the appointment of the assistant secretary to act as clerk to the Board.

The other point relates to the practicability of uniting the duties of one or two of the stipendiary magistrates to those of the sheriffs at Berbice and Essequebo. Upon this latter subject I annex a memorandum.

(B.) No. 2.
(B.) No. 8.
(B.) No. 3.
(B.) No. 4.
(B.) No. 5.

Having now ascertained to what extent the concurrence of the Combined Court might be expected in the grant of a civil list, I convoked that body, with the view, in the first place, of having the Estimates for 1840, and the usual Tax Ordinance for the same period passed.

In carrying these measures through the Court I was met but by one impediment of any consequence. The Combined Court, by a majority of twelve to three, passed a resolution recommending to the Court of Policy to place the salary, &c. of a colonial agent on the annual estimate. When this resolution came to be debated in the Court of Policy, I informed them that I was precluded by the instructions of Her Majesty's Government* from acceding to the request of the Combined Court, and I declined, therefore, to allow the motion for placing the item on the estimate to be put. There ensued some little warmth of expression, which ended in a protest against my refusal to meet their wishes on the point.

(B.) 6 and 7.

The estimates and taxes for 1840 being disposed of, and the supplies once more put in motion, the regular exercise of the functions of the Combined Court for the past year was thus completed; and I submitted to the Combined Court an ordinance for the settlement of a civil list on the Crown, which after having been formally concurred in by the financial representatives, was passed into a law on the 6th instant.

(C.)

Your Lordship will observe that the ordinance contemplates the abolition of the office of secretary to the chief justice, on the retirement of the present judge. I could not resist this provision, for in the propositions which were made to, and received by, Sir Lionel Smith, in June 1835, it was then stipulated that the office should "be subject to abolition."

In regard to the stipendiary magistrates, your Lordship will observe that although Her Majesty's Government did not call upon the colony for their payment until their salaries in the other colonies had ceased to be defrayed from the Home Treasury, provision has been made in the accompanying ordinance for giving to them at once the difference between the income they now enjoy, and the rate at which they are placed on the civil list.

Your Lordship will further observe that, in fixing the term for which the list is secured, I have availed myself, to the full extent, of the discretion reposed in me by your Lordship's instruction of the 30th of September last. The short period of three years was at first suggested and insisted on, but I frankly assured them that it was impossible to entertain the proposition.

The present Church establishment has been placed on the civil list. There were some objections to this arrangement, but as it was embraced in the offer made by the Combined Court in April last, and was not objected to by your Lordship, and seems to have been countenanced by Mr. Light, I did not interfere on the point.

The Civil List Ordinance having been passed, I had next to attend to that part of your Lordship's instructions which requires the enactment of a prospective law to secure the funds necessary for the payment of the civil list.

Her Majesty's surplus custom duties and other revenues will go far to the liquidation of the entire charge, but the addition of a moderate import duty, such as is contemplated by the accompanying ordinance, was the only other method of securing the public against a repetition of the embarrassments which have been recently experienced. I trust that the maximum or minimum rate at which this duty is intended to be levied on British goods will not be objected to by the Board of Trade. The exact per-centage it is proposed to raise will be fixed in the annual Tax Ordinance, but assuming it to be no more than one per cent., I am assured that the revenue so to be derived, and the additional duty to be levied at the same time on foreign goods, will, with the surplus customs, &c., afford ample means for meeting the engagements into which the colony has entered for the support of its Government.

(D.)

The estimates for 1841 and the ways and means to meet the expenditure of the year are now being proceeded with. So soon as these have been completed, or indeed so soon as I have put them in a train for being properly disposed of, I shall embark on my return to Trinidad.

In the meantime, I have not objected to the introduction of the Immigration Bill, a draft of which was transmitted to Mr. Light with your Lordships' despatch, No. 57, of the 15th of February last, wherein you desire that no funds should be applied to the purposes of the ordinance until adequate provision had been previously made for a civil list.

I have, &c.

(signed) *H. Macleod.*

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* Lord Glenelg to Sir J. C. Smyth, 31 October 1835. Lord Normanby to Mr. Light, of 14 March 1839. Lord John Russell to Mr. Light, of 29 April 1840.

— No. 5. —

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(No. 6.)

COPY of a DESPATCH from Lord *John Russell* to Governor Sir *Henry Macleod.*

Sir, Downing-street, 2 March 1841.

No. 6

I HAVE received your despatch, British Guiana, Special Service, No. 5, of the 11th January, together with the ordinances for raising the necessary supplies, and settling a civil list for a period of seven years, accompanied by various documents in explanation of your negotiations with the Court of Policy and financial representatives on these affairs.

I have to thank you for the services which you have rendered on this mission, which was at once so invidious, difficult, and important, as to require the greatest discretion as well as firmness to achieve.

I have referred your despatch for the consideration of the Lords Commissioners of the Treasury, and I have no doubt that I shall be enabled to announce by an early opportunity Her Majesty's gracious confirmation of the ordinances.

There will remain for future consideration the proposal to reduce the number of stipendiary justices from ten to eight, by employing the sheriffs in that capacity, and the proposal that the offices of Government secretary and secretary to the Court of Policy should be divided. On these subordinate points I shall communicate your opinion as well as my own to Governor Light.

In terminating my correspondence with yourself, so far as it relates to this special service, I have to convey to you Her Majesty's entire approval of the judicious and conciliatory course which you pursued, and to congratulate you on the success which was so well deserved.

I have, &c.
(signed) *J. Russell.*

CORRESPONDENCE between Sir *Henry Macleod* and the unofficial Members of the Combined Court, respecting a CIVIL LIST.

(A.)

ENCLOSURES (A.) in Sir *Henry Macleod*'s Despatch to Lord *John Russell*, of 11th January 1841, No. 5.

TO his Excellency Colonel Sir *Henry George Macleod*, K.H. and K.S.W., Governor and Commander-in-Chief of *British Guiana*, &c. &c. &c.

Sir, Demerara, 15 December 1840.

YOUR Excellency having in your speech to the Court of Policy "invited the fullest and earliest communication from the members of both courts," thereby meaning, as we presume, the Court of Policy and the Combined Court, and having further declared, "for that it is only by such communication, in conjunction with the correspondence you had already alluded to, that it would be possible for you to regulate your future proceedings," and we having understood that your Excellency expected from us compliance with such invitation, now take leave to approach your Excellency, in the hope that our ready acquiescence will prove the willingness with which we are prepared to adopt every measure tending to redress the political evils which the colony has been, and is suffering.

We are obliged to state, that as your Excellency has, in general terms only, invited the earliest and fullest communication, we feel at a loss to know on what particular subjects your Excellency seeks information from us.

If from ignorance of the routine of political discussion, or from mistaking the conduct and intentions of the late Governor, we have been forced into a position misrepresented by those having no good feeling towards us, as "opposition" to the Government, maternal or local, we humbly conceive that we ought to be informed of the light in which we are viewed by Her Majesty's Government, and the faults (if any) of which we have been guilty ought to be pointed out; or, in other words, if there be any accusation or charge against us, such accusation or charge should be specified, that we may have cognizance of the same before being called upon to answer.

These preliminary remarks are perhaps unnecessary, yet we have deemed it expedient to offer them as an apology for entering into the extensive history of the proceedings of the Combined Court and Court of Policy, in respect to the estimates or provisions for the due administration of the local government, which is about to follow.

Your Excellency must be informed, that on the 28th February 1839, two Bills were introduced into the Court of Policy by Mr. Rose; the one to regulate the immigration of labourers into British Guiana, the other, "a Bill, to be intituled, 'An Ordinance to raise a sum of Money, to vest the same in Trustees, and to provide for the appointment of a Board of Commissioners, having the power of disposing of the said Money for the Encouragement of the Immigration of Non-indented Labourers.'"

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Before these Bills could be disposed of the time appointed for the meeting of the Combined Court arrived, and that Court being assembled, his Excellency Governor Light, on the 19th February 1839, delivered a speech.

At this time there unhappily existed in the colony a difference of opinion as to the working of the new, or free labour system; but it is to be remarked, that the party who was sanguine in its favour consisted principally of the Governor and the official members, and even they admitted the necessity of immediate and extensive immigration.

This difference of opinion existing, and the Governor having in his speech endeavoured to support his opinion by what the financial representatives considered and felt to be fallacious arguments, they on the 18th March 1839, answered his Excellency's address.

His Excellency the Governor thought fit to reply to this address, and in this reply he was supported by one colonial member, the Hon. Sir M. M'Turk.

There then arose a question as to the Combined Court being allowed to lay a duty on imports of British goods, and certain resolutions were passed, at which the Governor immediately took the alarm, and pretended that they contained a threat to stop the supplies.

To these resolutions and the subsequent proceedings thereon we call your Excellency's attention, merely for the purpose of pointing out the slender grounds upon which the late Governor, Mr. Light, rests his claim, in his despatch No. 10, of 16th September 1839, to a "disposition to conciliate," and "to a reputation for firmness."

After disposing of various matters, on the 21st March 1839, Mr. Rose gave notice of his intention to move certain resolutions respecting immigration to British Guiana.

These, after various discussions and amendments, were, on the 19th April, finally passed, "the Court respectfully requesting his Excellency the Governor (who then and there sat and presided without dissenting) to forward those resolutions to Her Majesty's Government for permission to carry the same into effect."

The Combined Court proceeded further, and actually voted and raised a sum of 30,000*l.* sterling, for the purpose of enabling the Governor and Court of Policy to carry into effect the resolutions which they had just passed.

After this, in the Court of Policy of the 18th June, so many oppositions were raised by the Governor and his official section, that the Bill for the purpose of raising the loan was lost, and only the one for regulating the immigration of labourers into the colony was passed.

To prove the deep disappointment felt by all the inhabitants at this thwarting of their hopes, we may state, that in October of the last year, the necessity for immigration, which had been predicted by those who were not so sanguine as others in the well-working of the new system, became so apparent to the whole community, that at a public meeting, held by authority in the Hall of Justice, at which his honor the high sheriff presided, resolutions were passed, and a petition to Her Majesty agreed to, praying for immigration being permitted to British Guiana, and that Her Majesty might be pleased to sanction the proposed loan, for the interest of which, and redemption of the capital by instalments, the colonists were willing to submit to be taxed, thus approving of the previous acts of the Combined Court.

The feelings of irritation which have actuated Mr. Light were never more clearly evinced than when he, of his own motion, threw up the sums that were offered him for house rent and table money, by ordering them to be struck off the estimate, upon which they had been placed by the Court of Policy.

Not to fatigue your Excellency, we will now proceed to the year 1840.

On the 19th March 1840, the accustomed proclamation for the annual meeting of the Combined Court was published. This proclamation states, "that the meeting of the annual Combined Assembly was then required for the purpose of raising the colonial taxes, for the service of the year 1840." Save this purpose, no other is mentioned in the proclamation.

On the 27th March, eight days after the proclamation, Mr. Light, as Governor, made a communication to the Court of Policy, at its adjourned assembly, on immigration, the civil list, and an import duty on British goods; for this communication be pleased to see Parliamentary Papers, pages 63 and 64.

The Court of Policy being thus addressed, and the Civil List Bill introduced, the proceedings in the minutes herewith submitted, followed.

The 15th April 1840 arrived, and the Combined Court having assembled, his Excellency the Governor opened the session with an address. At the same time he laid over the extract despatch, No. 52, of the 10th February 1840, a tabular statement of salaries, a despatch of the 30th November 1839, and No. 57, of the 15th February 1840, together with a document, headed, "British Guiana Relief Grant."

The financial body requested his Excellency to furnish them with the estimates, for the consideration of which they had been purposely summoned. This request was refused, and they were informed that the estimates were not ready, and even if ready, they were not to be discussed until the Civil List Bill, as submitted to them, should be sanctioned and approved; the estimates were, however, afterwards handed over to the financial representatives by Mr. Young, the Government secretary.

The financial representatives having requested copies of all the despatches respecting the civil list which had passed between the Secretary of State and the Governor, this request was at first refused, but in the evening of the 18th April, the vice-president of the financial representatives received a letter from Mr. Young, the Government secretary, enclosing a minute of the Governor, without a date, and copies of the despatches, No. 122, 30 July 1839, and of 16 and 18 September 1839.

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On the 19th April, Mr. Bishop, financial representative, acknowledges the receipt of these despatches, and quoted their dates, which had been omitted in the Governor's minute, and in Mr. Young's letter of the 18th.

On the 20th April the college of financial representatives addressed a letter to Mr. Young, praying for a copy of a despatch, No. 79, 6 May 1839, and on the same 20th April, the Government secretary addressed a letter to the college of financial representatives, enclosing a copy of the despatch, No. 79, 6 May 1839.

On the 24th April the Combined Court having again met, the financial representatives gave in an address in answer to his Excellency's speech on the opening of the session.

As soon as the address had been read, Mr. Young moved "that this Court (the Combined Court) acquiesces in the civil list, as proposed by Her Majesty's Government," and this motion was seconded by the chief justice. The Civil List Bill, as then submitted to the Combined Court, is among the papers.

Mr. Arrindell, seconded by Mr. Bishop, moved an amendment. Upon this amendment there arose a debate, for the particulars of which, as containing, and laying open to you the real sentiments of each supporter of the colonial interest, we respectfully refer your Excellency.

Colonial newspapers herewith sent.

On the 28th April the amendment was declared to be carried and the original motion lost. The Combined Court was then adjourned by the Governor to the 11th May.

On the 5th of May the Court of Policy was assembled by order of the Governor. (For a detail of the proceedings on, and also for a copy of the petition of the inhabitants against the passing of the Civil List Bill, *see* Papers from page 202 to page 214.) By means of the official section, aided by Sir M. M'Turk, the standing orders of the Courts were suspended and the Civil List Bill passed, in opposition to the four colonial members, who then and there protested against the passing of the Bill, and subsequently entered their protest on the minutes.

The ordinance taking away the surplus duties of Her Majesty's customs theretofore payable to the colonial chest, and applying them in aid of the civil list, was passed on the 6th May, by similar means and non-observances.

On the 14th May the Combined Court then assembled, and previous to proceeding with the order of the day for discussing the estimate for the current year, Mr. Arrindell, financial representative, requested from the Governor answers to two questions.

See Minutes of Combined Court for 1840.

[*Fiat Insertio.*]

The Court, for the purpose of giving time to the Governor to answer these questions, was adjourned to the next day.

Retired from the Court, the financial representatives, to avoid coming into collision with the Executive, addressed a letter to the Government secretary, which produced a correspondence, to be found in pages 254 to 260.

The Combined Court met again on the 15th May, when the Governor gave to the questions of Mr. Arrindell the answers to be found in our papers, page 262 to 265.

Upon notice of a motion given by Mr. Butts, a desultory discussion arose, which led to an adjournment of the Court to the 16th May.

On the 16th May, Mr. Butts being about to proceed with the motion of which he had given notice, his Excellency the Governor directed a minute, containing his veto against the motion, to be read, for which see our papers, page 266 to 269.

The Attorney-general, seconded by Mr. Young, then moved that the Court do now proceed with the order of the day for discussing the estimate. Mr. Arrindell, financial representative, seconded by Mr. Bishop, financial representative, moved the following amendment.

[*Fiat Insertio.*]

In support of the amendment, Mr. Arrindell referred to the papers on the subject of the Berbice acre money, delivered over by the Governor to the financial representatives, as well as to the Civil List Ordinances of 8 February 1836, and of 5 May 1840, all of which documents are in our papers, page 278 to page 292. After Mr. Arrindell had spoken in support of his amendment, without any one member of the Government section rising to answer or to offer any explanation, the amendment was put to the vote and carried. The Court was then adjourned to the 18th May, when the Governor delivered a speech, page 294 to page 300, at the conclusion of which the colonial members and financial representatives attempting to speak, the Court was adjourned by the Governor.

Immediately on the "*sine die*" adjournment, Sir Michael M'Turk threatened that he would have a petition against the measures of the Combined Court, signed by 30,000 of the labouring population, and sent to the Queen; he accordingly prepared a circular, bearing date the 20th May 1840, and caused a petition to the Queen to be drawn up and printed, bearing Her Majesty's arms on the top. This circular, sent round to every clergyman and minister of the Gospel, and to each of the stipendiary magistrates, as well as circulated among the managers of the estates in the immediate employ of Sir M. M'Turk, was signed by Sir M. M'Turk, and dated in the handwriting of the Hon. Henry Edward Fox Young, the Government secretary, and one of the official members of the Honourable the Court of Policy.

It fortunately turned out that the clergy of all denominations and descriptions (except those of the Roman-catholic faith) and many of the magistrates refused or declined to have anything to do with this circular and petition, or either of them.

On the 22d May the four colonial members of the Court of Policy addressed a letter to

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his Excellency Henry Light, Esq., Governor of British Guiana, on the subject of this circular and this petition, to which letter his Excellency on the same day returned an answer.

On the 23d three of the four colonial members, the other being absent, addressed a letter on the subject of the circular and petition to Lord John Russell, and enclosed the same for transmission, in a letter dated 23 May 1840, addressed to Henry Light, Esq., Governor of British Guiana.

Subsequently to this, the Tax Ordinance being about to expire, the merchants of British Guiana presented a petition to Mr. Light, as governor, praying—

[*Fiat Insertio.*]

To this petition he returned an answer, which we herewith respectfully submit.

We would also call your Excellency's attention to the differences which exist between the correspondence of Lord John Russell and the Governor, Mr. Light, as furnished to Parliament by Mr. Vernon Smith, and as furnished to us by Governor Light, and more especially do we crave your attention to the suppression, by Governor Light, not only of parts of his correspondence on the civil list, but of the entire despatches, No. 9, 31 July 1839, and No. 15, 10 February 1840. We would further pray your notice of the silence as to the discretionary power with which he was invested by the despatch, No. 15, at the very time he stated in his speech to the Court of Policy of 27 March 1840, that "express instructions had been communicated to the Executive to consider the item for the salary of a Governor as fixed." His further declaration in the Minutes of the Court of Policy of the 9th April 1840, that "the officers to be placed on the civil list, and the remuneration to be allotted to them in return for their efficient services, had been determined on by the Home Government;" and this, in contravention of the despatch, No. 15, cannot be passed over by us.

To elaborate every point that will naturally occur to your Excellency in perusing the voluminous matters placed before you, would be a work of supererogation, but we shall hold ourselves in readiness to answer any questions that may be submitted to us, and to afford every further explanation that may be required.

Before concluding we take leave to lay over a statement of the crops and taxes for 1834 and 1835; for 1836, in which year the first civil list was granted; for the years 1839 and 1840, in which latter year, the augmented civil list was demanded; and to request your Excellency to contrast these several statements, and to consider that the amount of taxes demanded of us in 1840 was upwards of $800,000, and this without any provision being placed on the estimate for the purposes of immigration, and for other useful purposes, the claims for which cannot be resisted.

Having furnished your Excellency with all the documents necessary to the understanding the various topics adverted to in this letter, we think it right to state that we have purposely abstained from comment or remark, and from everything which might appear argumentative; the inferences or conclusions which we draw from the facts contained in the voluminous documents laid over, we reserve our right to declare and support whenever we may be called upon to do so.

We have, &c.

(signed) *William Arrindell*, V. P. F. R. — *Peter Rose*, M. C. P.
R. G. Butts, F. R. — *Jno. Croal*, M. C. P.
Wm. Davison, F. R. — *Jno. Pearce*, M. C. P.
E. J. Troughton, jun. F. R. — *James Kirkwood*, M. C. P.
Wm. R. Sandbach, F. R.

Sir, George Town, 16 December, 1840.

I HAVE to acknowledge the receipt of the letter which you and the other unofficial members of the Combined Court have addressed to me, under date of the 15th instant, and which, together with its enclosures, was delivered to me by yourself and Mr. Davison.

1. Adverting to the desire I had publicly expressed to receive the fullest and earliest communication, you state yourselves at a loss to know on what particular subject I sought for information.

I am sorry that any mistake has existed on this point, for if you will have the goodness to refer again to my address to the Court of Policy, you will find that the special purpose for which I had been sent here was distinctly stated to be to obtain the settlement of a civil list, and provision for the ordinary supplies; and that it was to enable me to arrive at a fair discussion on the subject that I invited your correspondence.

2. You next prefer a request to be made acquainted with the light in which you are viewed by Her Majesty's Government, and with the accusations and charges against you, if there be any such.

I know nothing to warrant the suspicions which, from this request, you would seem to entertain. They are not supported, I am sure, by any document which has emanated from Her Majesty's Government, or by any expressions which have fallen from myself.

On the contrary, the very duty which has been delegated to me of negotiating with you on a subject on which you and the public officers of the Crown are so decidedly at issue, displays, on the part of Her Majesty's Ministers, a spirit of friendship, and a desire to conciliate, which it is impossible to reconcile with the existence of any unfavourable opinion of your

your conduct The confidence and freedom with which I have invited and conducted my intercourse with such of you as have done me the favour to communicate with me personally, must be further evidence, if it were wanted, of the groundlessness of your suspicion.

3. You then proceed to furnish a history of the proceedings of the Combined Court and of the Court of Policy in respect to the estimates, &c. during the past and present year. There are many of the voluminous documents attached to the statement which have not yet come before me, and which of course I shall read with attention. But these papers relate principally to the mode in which the financial business of the colony has been conducted during the last two years, and to the share which Mr. Light has taken in it. I am compelled, then, to state that I am not empowered to enter upon a review of my predecessor's conduct, or of any part of his administration, and that I am anxious to ap proach the discussion of the particular question on which I have been commissioned with as little reference as possible to past events.

With these observations on the papers delivered to me yesterday, I hope you will permit me to say I was somewhat disappointed at not receiving from you some suggestions for the settlement of the differences which have existed upon the subject of a permanent provision for your civil government, and which I was the more induced to expect from the length of time during which I was informed that you were engaged in preparing your statement.

In the same spirit, however, in which I first invited your correspondence, I now request that, previously to assembling the Combined Court, a deputation of the unofficial members thereof may be empowered to meet me, and to state their views and wishes in regard to a fit and permanent provision for the civil government of this colony. It is scarcely necessary for me to assure the members, that if on some points arising out of the object of my mission I may not be empowered to accede to their demands, they may still rely on their having my own full and fair consideration, and my ready co-operation in forwarding their representations to Her Majesty's Government.

I have, &c.

The Honourable Peter Rose. (signed) *H. Macleod,* Governor.

Sir, George Town, 17 December 1840.

In compliance with your Excellency's request, I have laid your letter of the 16th instant before the gentlemen who addressed you on the 15th December; and they have appointed the following gentlemen as a deputation to confer with your Excellency, viz. Peter Rose, James Kirkwood, members of the Court of Policy; William Arrindell, William Davison, financial representatives.

The deputation are ready to wait on your Excellency at any time and place you may appoint.

I have, &c.

His Excellency Colonel Sir H. G. Macleod, K. H. and K. S. W., &c. &c. (signed) *Peter Rose.*

Gentlemen, George Town, 19 December 1840.

Referring to our conversation of yesterday, I now beg to acquaint you that I have maturely considered the offer you then made of a renewal of the civil list, as passed under the late Sir J. C. Symth, with certain additions which you were disposed to make thereto.

I regret that, consistently with the instructions given to me to submit to the Combined Court the civil list proposed and carried by you on the 28th of April last (but without the conditions by which it was accompanied, and which Her Majesty's Government were not authorized or empowered to fulfil), I cannot accede to your proposition as it now stands.

I am willing to accept, on behalf of Her Majesty's Government, the salaries which you agree to assign to the Governor, chief justice, and puisne judge.

But there are other officers whose emoluments appears to me equally to demand your favourable consideration.

The first of these is the Government secretary and the secretary to the Court of Policy.

The duties of this officer must necessarily be, and particularly in a new country like this, of an extensive and important character. Looking to the station which he must necessarily occupy and maintain in society, and to the rate at which similar officers are compensated in colonies where the expenses of living bear no comparison to what they are in Guiana, I am bound to say that a salary of 1,500 *l.* a year should be secured to him here; and I feel it my duty, therefore, whilst I shall assume the responsibility of desisting from the original demand of 2,000 *l.*, to require that it shall not be placed on a lower scale than what I have named.

You have pressed upon me the expediency of having the duties of secretary of the Court of Policy separated from those of Government secretary.

If the separation shall eventually take place, I should be inclined to recommend that the salary of the Government secretary be reduced to 1,200 *l.*

For the reasons I have stated, I would still maintain the propriety of placing that officer upon a sufficient salary.

Appendix, No. 2.

Another officer, whose salary it is imperative on me to have fixed at a remunerating rate, is the attorney-general.

I believe that you allow that officer to be insufficiently compensated by a salary of 500 *l.*, and that you do not object to its being made up each year, as at present, to 1,000 *l.* by a grant from the contingencies; but that you oppose any addition to his salary, because you think that this annual grant would be still continued to him, even if the increased salary were placed on the civil list.

Now in requiring that the attorney-general's salary should be put down at 1,200 *l.*, I shall not object to the insertion of a clause in the ordinance, which shall make it illegal to grant any addition from the contingencies to the salary of any public officer for whom adequate provision is secured on the civil list.

It is further incumbent on me to secure some small provision for the office of solicitor-general.

The precedence which it confers, and the prospect of promotion, may in general be sufficient to secure the services of a properly-qualified professional person to fill the office; but as actual services must be often required of him, it is right that he should be remunerated. If the office, moreover, be altogether honorary, the performance of its duties will constitute a claim to the highest offices of the law, which it would be difficult altogether to overlook, and which circumstances might yet make it expedient to recognise. I trust, therefore, that you will concur with me in assigning to the solicitor-general an allowance of 300 *l.* per annum.

In the schedule which I have annexed to this letter, I have proposed some slight increase to the salaries of the sheriffs of Essequebo and Berbice. I am quite sure, from the liberal spirit which you have exhibited in our discussions, that there will be no objection to placing these responsible offices, so long as they exist, on a respectable footing.

In agreeing to place the stipendiary magistrates on the civil list, you have decided on granting to them salaries of 700 *l.* a year each, instead of 800 *l.* as proposed. I do not hesitate, however, to accept the provision you have assented to for the support of these officers.

I would also hope that there will be no objection to placing the three superintendents of creeks and rivers on the list, at the same rate at which they are now paid by annual vote. The situation is one which exists by a specific law; and the duties, as represented to me, appear, if properly executed, to be of an important and useful nature.

I must finally invite your attention to those parts of Lord John Russell's despatch of the 10th of February last which relate to the payment of existing pensions, and to the grant of future superannuation allowances.

You have objected very strongly to being called upon to pay a larger provision for the present pensions than was included in the present Civil List Ordinance. I would really wish you to reconsider this objection. The difference between the total amount of these pensions and of the proportion paid under the ordinance is not great, and would be fully met by the payment which would at once follow to you of the balance of the relief grant; whilst the arrangement now recommended to you would simplify the transactions of the colony with the Home Treasury, and would be fresh evidence of the conciliatory spirit with which you had met the propositions of Her Majesty's Government.

As regards the future grant of superannuation allowances, I am quite disposed to attach all due weight to the hypothetical case of the colony being called upon to pay a retiring provision calculated on public services of 20 years, three or four of which only have been rendered in Guiana. But I think that your objections under this head might be obviated by providing superannuation relief only according to the number of years which the disabled officer may have served here, or by a *pro rata* contribution (according to his length of service in Guiana) to the whole amount of the pension to which he would be entitled under the Superannuation Act.

So soon as I am assured of your readiness to concur with me in the preceding arrangements I shall give directions for the preparation of an ordinance by which their settlement will be secured; with regard to the period of their duration, however, I am given to understand that you desire such a diminution of the period of 21 years, originally named by Lord John Russell, as it is impossible for me to assent to. When I propose that the civil list shall be fixed for a period of seven years, I use the discretion which has been vested in me to the utmost possible extent.

I have, &c.

Honourables Peter Rose and James Kirkwood,
William Arrindell and William Davison, esqrs.

(signed) *H. Macleod*,
Governor.

Appendix, No. 2.

SCHEDULE of SALARIES proposed to be placed on the CIVIL LIST.

OFFICE.	Proposed by Lord John Russell.	Proposed by Sir H. Macleod, in concert with Combined Court.
	£.	£.
Governor	6,000	5,000 and house.
Chief Justice	3,000	2,500
Two Puisne Judges	4,000	3,000
Secretary to Chief Justice	630	630
Government Secretary, and Secretary to Court of Policy	2,000	1,500
Assistant Government Secretary	1,000	600
Clerks, and Stationery	600	450
Attorney-general	1,500	1,200
Solicitor-general	500	300
High Sheriff	1,250	1,250
Clerk to High Sheriff	300	300
Sheriff of Berbice	1,200	900
Sheriff of Essequibo	1,000	700
Ten Stipendiary Magistrates	8,000	7,000
Pensions	3,380	3,380
Three Superintendents of Creeks, &c.	1,800	1,800
Contingencies	2,850	2,400

TO His Excellency Colonel Sir *Henry George Macleod*, K. H. and K. S. W., Governor and Commander-in-Chief of British Guiana, &c. &c. &c.

Sir, George Town, Demerara, 21 December 1840.

YOUR letter of the 19th instant having been this morning received, we lost not a moment in submitting it to the elective members of the Combined Court.

We have the honour to bring to your Excellency's notice the results of the deliberation thereon had.

Our constituents join us in considering your Excellency's acceptance, on behalf of Her Majesty's Government, of the salaries assigned to the Governor (5,000 *l.* and a house) the chief justice 2,500 *l.*, and the puisne judges, 1,500 *l.* each, to be final.

With respect to the officers " whose emoluments appear to your Excellency equally to demand the favourable consideration of ourselves and constituents," we take leave to submit our remarks upon each, in the order of your Excellency's letter.

The first of these is " the Government secretary, and secretary to the Court of Policy."

After much discussion, considerable difficulty, and a variety of opinions, with the particulars of which we do not wish to trouble your Excellency, a majority of the elective members (all of whom were present) have determined to accede to the sum of 1,500 *l.* demanded for this office.

In doing this, we assure you that we have been actuated solely by the considerations pressed upon us by your Excellency, and have had in view only the station and respectability of the officer, and that we have more readily acquiesced in the sum by you proposed from perceiving that your Excellency does not object to our looking forward to having the duties of secretary of the Court of Policy separated from those of Government secretary. We also notice, that if this separation shall eventually take place, your Excellency would be inclined to recommend that the salary of Government secretary should be reduced to 1,200 *l.* To meet these views, therefore, as well as to support our opinion on the expediency of having at some future period the separation of the duties of secretary of the Court of Policy from those of Government secretary, and in accordance with the terms of the Civil List Ordinance of 18 February 1836, we have expressed our assent thus:

To the Government secretary	£ 700
As secretary to the Court of Policy	800
	£. 1,500

Your Excellency will readily perceive that should this contemplated separation take place, the Government secretary being relieved of the duties of secretary to the Court of Policy, would not then require an assistant Government secretary, (whose salary you will find hereafter to be stated at 500 *l.* per annum,) and that by adding the assistant Government secretary's salary of 500 *l.* to the 700 *l.* now granted to him as Government secretary, the exact sum of 1,200 *l.*, recommended by your Excellency as a salary to the Government

Appendix, No. 2.

secretary, would be secured to that officer; thus leaving the adequate sum of 800 *l.* for the secretary to the Court of Policy.

We are of opinion that it is more honourable at once to grant to Her Majesty's attorney-general a specific sum of 1,000 *l.* per annum, than, by granting the sum of 500 *l.* only, to afford the Executive a plea for having recourse to the contingencies, in violation of the spirit, if not the very words, of the Civil List Ordinance.

In naming the sum of 1,000 *l.* instead of 1,200 *l.* required by your Excellency for this officer, we have taken into consideration, that he will be assisted by a solicitor-general, to whom we have conceded a salary of 300 *l.* a year, the amount demanded by your Excellency.

We do trust that we shall not incur the charge of personal feeling, in stating, that in granting these salaries to the attorney and solicitor-general, we are firmly of opinion, that with liberty to practise, which is conceded by the Government, to both of these gentlemen, the salaries are not only ample but liberal.

We must not omit here to thank your Excellency for the insertion of a clause in the ordinance which shall make it illegal to grant any addition from the contingencies to the salary of any public officer, for whom adequate provision is secured on the civil list. Looking to the spirit of liberality which has offered these conditions, we hope that your Excellency will not be averse to our introducing such clauses as will protect the colonial funds from any demands, for the professional or other services, of what kind or description soever, of any of those officers.

We are happy to say that we have met your Excellency's views as to the increase to the salaries of the sheriffs of Essequebo and Berbice.

In not hesitating to accept the provision by us offered for the support of the stipendiary magistrates, your Excellency has evinced so conciliatory a disposition towards us, as to embolden us to submit to your consideration the propriety of having eight instead of ten of those officers.

We are all of opinion that four stipendiary magistrates for the county of Demerara, and three for each of the other counties, including the sheriffs of each of those counties, would be sufficient; and that in the event of your Excellency's adopting our suggestion, and adding to the duties of the sheriffs of Essequebo and Berbice those of stipendiary magistrates, it would be expedient to increase the salaries of those officers, say sheriffs of Berbice and Essequebo, 100 *l.* each.

After the amicable nature of our correspondence, it becomes matter of regret and pain to differ from your Excellency on any point; yet the duty we owe to our constituents and ourselves, compels us to decline placing the three superintendents of rivers and creeks on the civil list. In this, we assure your Excellency, we are unanimous, not in a spirit of opposition, but in a settled and firm opinion that the interest of the colony will be better consulted by these newly-created officers, who are purely colonial, being provided for on the annual estimates.

Finally, our attention being invited to those parts of Lord John Russell's despatch of the 11th February last which relate to the payment of existing pensions, and to the grant of future superannuation allowances, we must take leave respectfully to submit, that the consideration of the balance of the relief grant, amounting now to little more than 12,000 *l.*, cannot possibly be accepted by us. Its acceptance would involve a principle which we cannot abandon. It is unnecessary to enter into a lengthened discussion on this topic. Your Excellency has before you, in the various documents with which we have furnished you, a history of the unfounded nature of the claims to these pensions. You have also the last Civil List Ordinance, whereby the amount now offered by us was accepted by the Home Government; nor is it contended that any one thing has occurred since the passing of that civil list entitling the pensioners to any increase to their pensions. We may add, and we sincerely trust without offence, that we are in our objection to an increase to these pensions unanimous.

To your Excellency's proposal of a period of seven years for the duration of the civil list we assent.

We have the honour to annex a schedule, to be contrasted with that sent to us by your Excellency, and we earnestly hope that ours is such as will at once meet with your Excellency's approbation.

We have, &c.

(signed) *William Arrindell*, V. P. F. R. *Peter Rose*, M. C. P.
William Davison, F. R. *James Kirkwood*, M. C. P.

Appendix, No. 2.

SCHEDULE of SALARIES proposed by the Elective Members of the Combined Court to be placed on the CIVIL LIST.

OFFICE.				AMOUNT.		
				£.	s.	d.
Governor (with house)				5,000	–	–
Chief Justice				2,500	–	–
Two Puisne Judges, 1,500 *l.* each				3,000	–	–
Secretary Chief Justice				630	–	–
To cease and determine on the present Chief Justice vacating office.						
Government Secretary		£. 700				
As Secretary to the Court of Policy		800				
				1,500	–	–
Assistant Government Secretary				500	–	–
Clerks and Stationery to the Government Secretary and Secretary to the Court of Policy				450	–	–
Attorney-general				1,000	–	–
Solicitor-general				300	–	–
High Sheriff				1,250	–	–
Clerk				300	–	–
Sheriff of Berbice				900	–	–
Sheriff of Essequebo				700	–	–
Eight Stipendiary Magistrates, 700 *l.* each				5,600	–	–
Pensions.		£.	s. d.			
Mr. Sullivan		595	10 8			
W. D. Farr		595	10 8			
— Hallam		416	17 5			
Colonel Innes		404	19 3			
				2,012	18	–
Contingencies				2,000	–	–
The Clergy as proposed in Mr. Arrindell's amendment to the Civil List.						

Gentlemen, George Town, 22 December 1840.

I HAVE to acknowledge the receipt of the letter which you have addressed to me on behalf of the unofficial members of the Combined Court, in answer to my communication of the 19th instant.

I am happy to observe, that although some differences do still exist between us on important points, you have met me in the same conciliatory spirit in which I first addressed ou.

I am glad to find that you accede to the sum of 1,500 *l.* required for the office of Government secretary and secretary to the Court of Policy; but I regret that you have coupled your assent to my proposition with arrangements to which you must feel, on reconsideration, that I cannot assent. It is quite out of my power to agree to a lower scale of remuneration being assigned to the Government secretary than to the secretary of the Court of Policy.

Although the instructions of the Secretary of State, of which you are already in possession, scarcely permit me to do otherwise than provide for the salary of the Government secretary jointly with that of secretary to the Court of Policy, yet I am ready to meet your views to the extent of placing the Government secretary on a salary of 900 *l.*, and the secretary to the Court on one of 600 *l.*

The other arrangements to which you have referred under this head, must be, of course, contingent on the eventual separation of the two offices; I shall be prepared, however, to bring your suggestions on this subject to the attention of Her Majesty's Government, and to recommend that, when the opportunity arrives, the duties of secretary to the Court should be vested in the assistant secretary, with such an addition to his present salary as would increase it to 800 *l.*, whilst that of the Government secretary should at the same time be placed at 1,200 *l.*

I am also much satisfied to find that you agree to give 300 *l.* a year to the solicitor-general; but I am still of opinion that it is expedient to allow to the attorney-general the salary I named to you.

It is very essential that this officer's independence should be secured, and that he should be placed above all the consequences to which he is often apt to be exposed by a rigid and unpopular discharge of duty.

I do not doubt, therefore, that you will accede to my original proposition for raising his salary to 1,200 *l.*, in which case I will not object to the enactment of the provisions which you suggest for guarding against any additional payments to these officers.

I am not at liberty to assent to the reduction which you propose in the number of stipendiary magistrates; but I shall make it my duty to ascertain the practicability of uniting the duties of some of these officers with those of the sheriffs in the way you suggest, and to make my report thereon to Her Majesty's Government.

Appendix, No. 2.

I presume by your silence on the subject of the future grant of superannuation allowances, that I am to understand that you concur in the suggestions which I have already offered to you on that point.

In the event of your conceding the several points which I have now urged, I am prepared to forego the proposition for placing on the list the three superintendents of creeks and rivers, and to leave them to be provided for, as you suggest, on the annual estimates.

I shall also, in such case, refrain from urging the additional provision for pensions, to which you have again repeated your unanimous and decided objections, although it is impossible to overrate the personal responsibility which I incur in yielding the point.

I annex an amended schedule of the civil list, from which it is impossible that I can now farther depart.

I have, &c.
(signed) *H. Macleod*, Governor.

Honourables Peter Rose and James Kirkwood,
William Arrindell and William Davison, Esquires.

SCHEDULE of SALARIES proposed to be placed by Sir *Henry Macleod* on the Civil List.

	£.	s.	d.
Governor (with house)	5,000	–	–
Chief Justice	2,500	–	–
Two Puisne Judges	3,000	–	–
Government Secretary £. 900			
Secretary to Court of Policy 600			
	1,500	–	–
Assistant Government Secretary	600	–	–
Clerks, &c.	450	–	–
Attorney-general	1,200	–	–
Solicitor-general	300	–	–
High Sheriff	1,250	–	–
Clerk to ditto	300	–	–
Sheriff of Berbice	900	–	–
Sheriff of Essequebo	700	–	–
Ten Stipendiary Magistrates	7,000	–	–
Pensions	2,012	18	–
Contingencies	2,400	–	
Secretary to Chief Justice (to cease and determine on the present Chief Justice vacating office)	630	–	–

TO His Excellency Colonel Sir *Henry George Macleod*, Governor of British Guiana.

Sir, Demerara, 23 December 1840.

YOUR letter of the 22d instant having been received and laid before the elective members of the Combined Court, we have the honour to state, that as your Excellency's proposal in regard to the division of the sum agreed to be given to the Government secretary and to the secretary to the Court of Policy is evidently based upon an objection to have the salary nominally proposed for the secretary to the Court of Policy larger than that to the Government secretary, as being derogatory to the latter officer, we at once enter into the spirit of your Excellency's views, and therefore have no objection to make an alteration thus: —

To the Government secretary	£ 800
To the secretary to the Court of Policy	700
	£ 1,500.

We are sorry that we cannot accede to the proposition for an addition of 200 *l.* to the salary of 1,000 *l.* proposed for the attorney-general.

We are unanimously of opinion that the sum of 1,000 *l.*, with liberty to practise, the claim to advancement belonging to that office, added to the command of business which such an office ought to give, and no doubt does give, to every person who may hold it, are of such value as to secure the first talent of the colonial bar, and to give more than that which is sufficient to procure the first-rate abilities would be superfluous.

We beg to observe that the sum now set down by us is double that demanded from the colony by Lord Stanley; and on reference to his Lordship's despatch, it will be found that the very same reasons were assigned by his Lordship in support of the lesser sum being adequate which we have now urged upon your Excellency's consideration in support of the greater sum; therefore our reasons apply with double force. We would add, that another weighty consideration actuates us, and that is, that there are many offices more deserving an increase of salary than that of the attorney-general; were we to increase his salary to 1,200 *l.*, we should be obliged, in justice to others, to increase theirs, and this, in the present state of the finances of the colony, we must not think of doing.

We

We are aware that your Excellency may not have the power to reduce the number of stipendiary magistrates; our remarks were intended rather as a suggestion than as a distinct proposition.

We rely upon your Excellency making inquiry into the practicability of our suggestion, and reporting thereon to Her Majesty's Government.

We accept, with every due acknowledgment, your Excellency being prepared to forego the proposition for placing on the list the three superintendents of rivers and creeks, and to leave them to be provided for on the annual estimates.

We equally accept your Excellency's refraining from urging the additional provision for pensions; and although your Excellency has been pleased to state that is impossible to overrate the responsibility which you incur in yielding this point, yet with a true regard for your Excellency, we trust that your responsibility, in following the precedent of Sir Lionel Smith, will not be greater than his in having acted without a precedent.

To the addition of 100*l.* to the assistant Government secretary we agree, admitting as we do that it might appear invidious to pass over, as if neglected, this office, when the salaries of higher offices have been so much increased.

In setting down the sum of 2,000*l.* for contingencies, we had taken into consideration the relief which that fund will obtain from charges that have hitherto been made upon it, at the discretion of the Governor, and to which it could not now be, under any circumstances, made applicable; but impressed with a sincere wish of affording every proof of our readiness to meet the views of Her Majesty's Government in every way that we possibly can, we are content to let the item for contingencies remain at the sum of 2,400*l.*, upon the condition, of course, that a pertinent clause, preventing the improper use of these contingencies, and securing to the Combined Court an annual statement of its partial or entire expenditure, shall be introduced into the Civil List Ordinance.

We cannot too sincerely regret that your Excellency should have been led by our silence on the subject of the superannuation allowances to infer our concurrence in the suggestions which you have already offered to us on this point.

So far from concurring, we thought that as we had granted increases to the salaries, we had truly complied with both the letter and spirit of the despatches from home, and that we should not have heard anything further on this subject. As, however, it has been again adverted to by your Excellency, and as we cannot yield this point, we deem it right to place before you one or two of the reasons by which we are governed.

1st. Superannuation allowances, we believe, have never been granted by any other colony except Trinidad, and of this grant by Trinidad we have been informed by your Excellency.

2dly. That these superannuation allowances have frequently been demanded from our predecessors, and by them invariably resisted and refused.

3dly. That no injury or inconvenience has resulted to the colony from such resistance and refusal, or from the want of superannuation allowances.

4thly. That on reference to Lord John Russell's despatch of the 10th February 1840, it is evident that the superannuation allowances are required only in the event of the salaries not being such as to admit of deductions to form an adequate superannuation fund; whereas, having granted, as we have done, every liberal increase to the salaries, we consider that we have complied with one of the alternatives, and that the other falls to the ground.

5thly. That in granting increases to the salaries, one of the alternatives, we felt that we were acting with proper caution, and a due regard to the officers themselves, inasmuch as granting an ample salary will prevent the lavish expender from trusting to his hope for superannuation allowance, and teach him the necessity of economising his means for the purpose of support hereafter.

6thly. That after all the concessions and sacrifices we have offered to make, it would be unworthy of the Home Government to press us to this grant at a time when it is well known that, from causes too bitter and painful to be repeated here, we are suffering most severely, and thus to insist in our present state of distress upon that which was not insisted upon when we were comparatively in affluent circumstances.

In conclusion, we have to state, that the concessions now made by us having been in our discussions, until this day, negatived by a considerable majority, whose opinions have only been at last overruled by their strong desire to meet the views of Her Majesty's Government, we feel ourselves in duty bound to apprise your Excellency that we are unanimous upon the only two points in which we are constrained to differ from you, and that we must not and cannot depart from the results to which we have arrived.

With the highest consideration for your Excellency,

We have, &c.

(signed) *Peter Rose*, M.C.P.
James Kirkwood, M.C.P.
William Arrindell, V.P.F.R.
William Davison, F.R.

Appendix, No. 2.

Gentlemen, George Town, 24 December 1840.

I HAVE to acknowledge the receipt of your letter of yesterday's date.

I continue to think that the manner in which I proposed to remunerate the Government secretary by assigning to him a much larger salary in that capacity than as secretary to the Court of Policy was preferable to the suggestion you have made on that point, but I am not inclined to make the alteration a subject of contention.

I cannot depart, however, from my proposition to increase the attorney-general's salary; and you must permit me to remind you that it was only on the condition of your assenting to this increase that I stated my willingness to insert in the proposed ordinance a provision against any addition from the contingencies to the salary of any public officer for whom adequate provision is made upon the civil list.

In agreeing to the contingencies being placed at 2,400 *l.* you have requested that a clause be introduced into the ordinance for the purpose of preventing their "improper use," and securing an annual statement of their expenditure. To the latter part of this request I can have no objection. The publication of these returns, together with the enactments already referred to, will afford sufficient check against an improper use of the money. But to say that I would legislate against expenditure of an "improper" nature would be a very vague and indefinite pledge.

I lament exceedingly the determination which you have formed to resist the future grant of superannuation allowances.

The reasons which have governed you in coming to this decision do not appear to me at all conclusive.

You assume that the salaries to which you have agreed for the public officers "admit of deductions to form an adequate superannuation fund." I do not altogether concur with you in this opinion; but under any circumstances, you err in interpreting Lord John Russell's despatch as leaving the creation of such a fund to the public servants themselves. The obvious meaning of that instruction is, that a deduction should by law be made from their salaries, and retained by the Government, in order to meet the expenses of providing them, in cases of absolute necessity and disability, with a retiring allowance.

You misunderstood me also in supposing that I quoted Trinidad as the solitary example of a colony where retired allowances are paid to the public servants.

The fact of such allowances having been invariably resisted by your predecessors in this province, and of no public injury or inconvenience having resulted from that resistance, would not be arguments of much weight against their establishment now, if their present utility or necessity can be proved, and if the colonial resources be not too impoverished to protect the aged or infirm public officer from distress, in cases particularly where the general interest requires his removal.

I desire, notwithstanding, to introduce nothing into the proposed Civil List Ordinance upon which there can possibly be any division or difference of opinion, and as I now anticipate your concurrence in all the other items of the establishment, I shall permit this question of superannuation allowances to lie over.

I have, &c.
(signed) *H. Macleod,*
Governor.

Honourables Peter Rose and Jame Kirkwood,
William Arrindell and William Davison, Esqrs.

Sir, Demerara, 26 December 1840.

HAVING in conjunction with our colleagues attentively considered your Excellency's letter of the 24th instant, we have the honour of stating, that with respect to the salary of the attorney-general, the only remaining point of difference between your Excellency and ourselves, we feel ourselves called upon to submit to your Excellency the following additional reasons in support of the position taken up and maintained by us; viz.

1st. Independently of the salary of 1,000 *l.* a year, and the advantages enumerated in our letter of 23d instant as enjoyed by that officer, he is allowed an office in the public buildings, which for convenience and assistance to his business, public and private, is fully worth the additional sum of 200 *l.* per annum.

2dly. That the salary, office, and advantages of the attorney-general, are to that officer a higher rate of remuneration than the salary assigned to either of the puisne judges; thus actually placing him in a situation superior, in point of emolument, to those officers.

3dly. That were we to abandon the principle upon which we have been acting, we feel that we might incur considerable discredit for placing an inferior officer in a position much more favourable than that of his immediate superiors.

Nevertheless, to avoid further discussion, and to convince your Excellency that we are actuated by a spirit of conciliation, and at the same time to mark the high sense we entertain of the urbanity and courteousness with which we have been treated, we leave it entirely to the discretion and judgment of your Excellency to state the salary of the attorney-general at 1,100 *l.*, instead of 1,000 *l.* originally offered.

We have, &c.
(signed) *Peter Rose,* M. C. P.
James Kirkword, M. C. P.
William Arrindell, V. P. F. R.
William Davison, F. R.

To his Excellency
Colonel Sir G. H. Macleod, K. H. and K. S. W.
Governor and Commander-in-Chief,
&c. &c. &c.

ENCLOSURE (B.) in Sir *Henry Macleod*'s DESPATCH to Lord *John Russell*, No. 5, of 11 January 1841.

(B.)

No. PAGE.

1.—Civil List Ordinance, expired 31 December 1840 (not printed).

2.—Memorandum on practicability of Consolidating Offices of Sheriff in the County and of Stipendiary Magistrate - - - - - - - - - - - 239

3.—Sir H. Macleod's Speech on meeting Combined Court - - - - - - 239

4.—Estimate for 1840 (not printed).

5.—Tax Ordinance for 1840 (not printed).

6.—Proceedings in Combined Court respecting appointment of Mr. Holmes - - - 240

7.—Proceedings in Court of Policy respecting ditto - - - - - - - - 240

8.—Comparative Statement of Civil List Establishments proposed in April last, by Mr. Arrindell, and that which has been agreed to now by the Combined Court - - 241

(B.) No. 2.

Memorandum.—THE financial representatives have recommended that the duties of stipendiary magistrates should be devolved on the sheriffs of Berbice and Essequebo, in addition to their present functions.

There does not appear to be any real objection to this suggestion. The arrangement would certainly entail additional labour on the two sheriffs, by the transfer to them of the special duties arising out of questions between labourer and employer; but almost all the other duties of the stipendiary magistrates seem to be common to the two offices. Both are coroners; both are charged with the general preservation of the peace, and in direct communication with the Executive.

That the consolidation is practicable enough, would seem to be established by the fact that the present sheriff of Berbice is now acting in the double capacity.

The number, at present 15, it is proposed, however, to reduce hereafter to 10, and it must then be a question whether the additional duty which by this contemplated reduction will devolve on the stipendiary magistrates will not be too much to add to the functions of another officer.

Demerara, 10 January 1841. *H. M.*

(B.) No. 3.

Sir *Henry Macleod*'s Address to the Combined Court on the 28th of December 1840.

Gentlemen,

IN my short address to the Court of Policy, on the occasion of my being sworn into the office of Governor, I acquainted you with the particular service on which I had been commissioned by Her Majesty. In furtherance of that duty, I am now prepared to bring into the Court of Policy, and thereafter to submit for your assent, an ordinance for the purpose of settling a civil list on the Crown. Upon the provisions of that ordinance I have reason to believe that there will be little, if any, difference or opinion; for I think it will be seen, that although I have placed the salaries somewhat below what were originally proposed, I have not overlooked the interests of the public officers.

Before, however, we proceed to the consideration of the civil list, which properly belongs to the supplies of 1841, I propose that you should first dispose of the estimate for 1840, and provide in the regular manner for the means to meet the expenditure of this year.

For that purpose, and in order that no further loss may be sustained by the colonial treasury, it might be desirable, and I shall have no objection, first of all to introduce an ordinance reviving and continuing the Tax Bill of 1839, for the years 1840 and 1841.

If the consideration of the new civil list, and of the estimate for 1841, which will then follow, should render any increase to, or alteration in, the public burthens necessary, it can easily be met by a supplementary ordinance for the levy of such other taxes as this Court may think proper.

Appendix, No. 2.

(B.) No. 6.

EXTRACT from the MINUTES of the PROCEEDINGS of the Honourable the COURT of POLICY of the Colony of *British Guiana*, combined with the Financial Representatives of the Inhabitants of the said Colony, at its Adjourned Assembly, held at the Guiana Public Buildings, George Town, Wednesday, 30 December 1840.

The Honourable Mr. Rose, agreeably to notice previously given, then moved, seconded by Mr. Arrindell, financial representative, that this Court recommend the Governor and Court of Policy to place the following items on the estimate; viz.

Salary to William Holmes, Esq. as Colonial Agent - - - - -	500
Contingencies - - - - - - - - - - - -	100
£.	600

His Excellency stated that he did not feel himself authorized to permit these items to be placed on the estimate.

The Court divided:

For the motion,	Against it,
Messrs. Bishop.	Messrs. Young.
Sandbach.	Gloster.
Troughton.	Chief Justice.
Butts.	
Davison.	
Arrindell.	
Kirkwood.	
Pearce.	
Bach.	
Croal.	
Rose.	
Robinson.	

The motion was declared to be carried.

(A true extract.)

(signed) *H. E. F. Young*, Government Secretary.

(B.) No. 7.

EXTRACT from the MINUTES of the PROCEEDINGS of the Honourable the COURT of POLICY of *British Guiana*, at its Adjourned Assembly, held at the Guiana Public Buildings, George Town, Demerara, Wednesday, 30 December 1840.

(After Prayers.)

Was read a recommendation from the Combined Court, that this Court do place an item on the estimate for the salary of W. Holmes, esq., colonial agent, and for defraying the expenses of his office; viz.

£.500 salary.
100 contingencies.

£.600

After some discussion, in the course of which quotations from various despatches on this subject were read, his Excellency stated that he felt himself precluded by his instructions from acceding to the recommendation of the Combined Court, and could not therefore permit the item to be placed on the estimate. His Excellency added, that he would be happy to forward any representation on the subject which the unofficial members of the Court might desire to make.

The following protest was then handed to the secretary for insertion in the minutes:—

"The Combined Court having recommended to the Honourable Court of Policy to replace on the estimate the salary to Mr. Holmes, as colonial agent - - - £. 500 - -
And for contingencies - - - - - - - - - - 100 - -

£. 600 - -

And

And on such recommendation being transmitted to the Court of Policy, his Excellency the Governor stated that it was out of his power, in accordance with his instructions, to allow this recommendation to be considered; we protest against this mode of disposing of the recommendation of the Combined Court, and reserve our right to give our reasons to be inserted in the minutes.

(signed) "*Peter Rose.* *N. J. F. Bach.*
Jno. Croal. *Jno. Pearce.*"
James Kirkwood.

(True extract.)
H. E. F. Young, Secretary.

(B.) No. 8.

CIVIL LIST ESTABLISHMENT, as proposed by Mr. *Arrindell*, and carried in Combined Court, in April 1840, together with a Note of such Reductions therein as Sir *Henry Macleod* has assented to.

	Establishment Proposed in April last.	Establishment as Agreed to.
	£. s. d.	£. s. d.
The Governor (the colony finding a residence) - -	5,000 – –	5,000 – – and house.
Chief Justice - - - - - - - - -	3,000 – –	2,500 – –
First Puisne Judge - - - - - - - -	2,000 – –	1,500 – –
Second Puisne Judge - - - - - - -	2,000 – –	1,500 – –
Secretray to the Chief Justice - - - - -	600 – –	630* – –
Government Secretary, &c. &c., for combined duties of Government Secretary, Secretary to the Court of Policy and Combined Court - - - - -	2,000 – –	1,500 – –
Assistant Government Secretary - - - - -	1,000 – –	600 – –
Clerks, stationery, &c. - - - - - -	600 – –	450 – –
Attorney-general - - - - - - - -	1,250 – –	1,100 – –
High Sheriff - - - - - - - - -	1,250 – –	1,250 – –
Clerk to ditto - - - - - - - - -	300 – –	300 – –
Sheriff of Berbice - - - - - - - -	1,000 – –	900 – –
Ditto of Essequebo - - - - - - - -	800 – –	700 – –
Ten Stipendiary Magistrates, four of whom must speak Hindostanee, at 700*l.*, on the conditions proposed by the despatch of Lord John Russell, dated 10th February 1840 - - - - - - - -	7,000 – –	7,000 – –
Contingencies - - - - - - - - -	2,400 – –	2,400 – –
New office, Solicitor-general - - - - -	- - -	300 – –
Retiring Allowances or Pensions to lapse on the Death of the Parties; viz.		
	£. s. d.	
J. Sullivan - - - - - - -	595 10 8	
W. D. Farr - - - - - - -	595 10 8	
Colonel Hallam - - - - - -	416 17 5	
Colonel Inniss - - - - - -	404 19 3	
	2,012 18 –	2,012 18 –
Carried forward - - - £.	32,212 18 –	29,642 18 –

* The salary of the Secretary to the Chief Justice was improperly put down in Mr. Arrindell's list at 600*l.*; it is, and always has been, 630*l.*

Appendix, No. 2.

CIVIL LIST ESTABLISHMENT—*continued.*

——	——	Establishment Proposed in April last.	Establishment as Agreed to.
	$.	£. s. d.	£. s. d.
Brought forward - - -	- - -	32,212 18 -	29,642 18 -
Ecclesiastical Establishment of the Churches of England and Scotland, and of the Dutch Reformed Church; viz.			
The Venerable the Archdeacon of British Guiana, on the terms and conditions proposed by the Lord Bishop of the diocese, as communicated to this Court by his Excellency the Governor, £. 500 - - - - - - or	2,400 0		
Stipends of the Rectors and Ministers of the 18 Rural Parishes - -	36,000 0		
The Rector of St. George's - -	2,733 33		
The Minister of St. Andrew's - -	2,733 33		
The Minister of the Dutch Reformed Church, Demerara and Essequebo -	2,733 33		
The Rector of the Church of England, New Amsterdam - - - -	2,333 33		
The Minister of the Church of Scotland, New Amsterdam - - - -	2,333 33		
		10,680 11 - ½	*9,429 19 4
	£.	42,893 9 - ½	39,072 17 4

* The apparent reduction of the sum provided for the support of the Church Establishment arises from the correction of an error in Mr. Arrindell's list, in which 18 parishes were included when the number was only 15; 1,250*l.* was therefore struck off from the stipends to the parochial clergy.

Appendix, No. 3.

Appendix, No. 3.

[PAPERS given in by Mr. *Cox*, and referred to in his Evidence, Q. 923.]

— No. 1. —

(No. 47.)

COPY of a DESPATCH from Governor *Light* to the Right Hon. Lord *John Russell.*

Government House, Demerara,
29 April 1841.

My Lord,

I HAVE the honour to transmit to your Lordship copy of a minute I this day addressed to the Court of Policy.

I have, &c.
(signed) *Henry Light.*

I TAKE the earliest opportunity afforded me of informing you, that I received by this mail a despatch from the Right Honourable the Secretary of State for the Colonies, dated 2d March, by which it appears that he has expressed to Sir Henry Macleod his approval of the settlement of the Civil List. I am happy that this subject of discussion is terminated. I have no information relative to the Immigration and Loan Ordinances. The harmonious way in which the provisions of the Immigration Ordinance are now carrying on in conjunction with myself, and which I trust nothing will interrupt, renders it a matter of indifference to me whether the Ordinance proposed by Her Majesty's Government, or that sent home from hence, be the basis of our immigration, which cannot but succeed so long as we are thus united for its advancement.

(signed) *Henry Light.*

29 April 1841.

— No. 2. —

(No. 212.)

COPY of a DESPATCH from the Right Hon. Lord *John Russell* to Governor *Light*.

Sir, Downing-street, 25 June 1841.

I HAVE the honour to acknowledge the receipt of your despatch of the 29th April, No. 47, enclosing copy of a minute which you had addressed to the Court of Policy.

I have to express to you my satisfaction at your statement of the harmonious way in which the provisions of the Immigration Ordinance are being carried out.

I have, &c.
(signed) *J. Russell.*

— No. 3. —

(No. 87.)

COPY of a DESPATCH from Governor *Light* to the Right Hon. Lord *John Russell*.

Government House, Demerara,
My Lord, 19 July 1841.

I HAVE the honour of transmitting copy of a minute I addressed to the Court of Policy on the 8th instant, which I trust will be approved by your Lordship.

I had the honour of stating my reasons for not immediately laying before the Court of Policy your instructions relative to the alterations in the Immigration Ordinance passed by Sir Henry Macleod.

I might have stated more strongly, that as the money for immigration purposes had been already granted previous to Sir Henry Macleod's departure, it would have been inexpedient to give grounds for discussion or opposition whilst the supplies for general purposes were under consideration.

There is now, evidently, an attempt likely to be made in the Court of Policy to protest against any alteration in the Immigration Ordinance.

There being two vacancies in the unofficial section of the Court of Policy, which can only be filled up to-morrow, I have complied with the request of the other members, not to bring forward the amended Bill for its second reading till the seats are filled.

I fear I have no chance of support from the colonial members. It will depend on the tone assumed by them whether I shall make use of my double vote to pass the amended Ordinance, or refer it for your Lordship's decision.

It is assumed the Civil List would not have been granted if the Immigration Ordinance, now to be amended, had not been guaranteed.

I have, &c.
(signed) *Henry Light.*

I HAVE received sundry despatches of importance, which I shall this day lay before the Court of Policy, having considered it inexpedient, in consequence of the prolonged session of the Combined Court, to bring them to your notice at an earlier date.

It was always my opinion that the provisions of the Immigration Ordinance were so directly in opposition to the draft Ordinance sent out for your guidance by the Right Honourable Secretary of State, as to preclude the confirmation of the Ordinance in its present shape. It will suffice that the colony will be assured of every facility being afforded by the amended Ordinance to the introduction of immigrants, and that although the sum to be placed annually on the estimate for immigration purposes is to spring from its constitutional source, yet such sum as may appear necessary will be annually placed on the estimate, unless instructions to the contrary are received from Her Majesty's Government.

Having willingly carried out the provisions of an Ordinance to which I was no party, and having harmoniously united with those who introduced them, to ensure their success, I trust you will give me credit for sincerity in adding, that my continued object must be to further the introduction of immigrants, from every conceded quarter of the world, without any other feeling but that of anxiety for the prosperity of the colony.

(signed) *Henry Light.*

8 July 1841.

(A true copy.)

(signed) *H. E. F. Young,*
Government Secretary.

Appendix, No. 3.

— No. 4. —

(No. 102.)

COPY of a DESPATCH from Governor *Light* to the Right Hon. Lord *John Russell.*

Government-House, Demerara,
19 August 1841.

My Lord,

I HAVE the honour of forwarding to your Lordship an extract minute of the proceedings of the Court of Policy in reference to the second reading of the Bill, introduced in pursuance of your Lordship's instructions, as conveyed in despatch, No. 184, date 8th April, to amend the Ordinance, No. 4, to regulate and encourage immigration into British Guiana.

I enclose a printed report of the speech of the Honourable Mr. Rose, and beg to inform your Lordship that the opinions expressed by that gentleman appear to meet the entire concurrence of the remaining unofficial members.

Mr. Rose argues that your Lordship must have received a misrepresentation of the practice in respect of issuing money in this colony; because your Lordship states that the sanction of a finance committee of the Combined Court is requisite, if, as the unamended Ordinance requires, warrants are issued in the customary forms.

The words "Combined Court," in your Lordship's despatch, should have been "Court of Policy."

My despatches have invariably represented that all accounts are payable on the certificate of a finance committee, composed exclusively of unofficial members of the Court of Policy, by warrants signed by the secretary of the court, by command of the Governor and the Court of Policy.

Your Lordship has probably mistaken the committee of the Combined Court (consisting exclusively of unofficial members), which prepares the budget of ways and means to meet the estimate of annual expenditure, for the finance committee of the Court of Policy.

The finance committee of the Court of Policy for the current quarter has been formed agreeably to your Lordship's instructions in despatch No. 53, dated 22d February, of official and unofficial members indifferently.

The Combined Court, as I had the honour of stating to your Lordship, in my despatch, No. 69, dated 21st June, adhered at their last session to their usual custom of forming their committee of ways and means exclusively of unofficial members.

I apprehend that it will still be your Lordship's desire that the issues of money from the public treasury should take place in British Guiana on the warrant of the Governor alone; to the fullest scrutiny of the accuracy of the accounts thus warranted by a finance committee, composed indifferently, as it now is, of official and non-official members, there cannot be, I imagine, any objection.

Mr. Rose has remarked, that your Lordship's despatch requiring amendments to the Immigration Ordinance must have been received during the session of the Combined Court, but was not brought to the notice of that court.

My despatch, No. 73, dated 22d June, has already conveyed to your Lordship my reasons for not submitting the despatch in question to the Combined Court at their then session.

The proceedings of the Court of Policy in reference to the Bill to amend the Immigration Ordinance, strengthens my conviction that the production of the despatch at the last Combined Court would but have endangered the quiet progress of the ordinary business, and as the money for immigration purposes for 1841 had been already agreed to, it was only necessary at the coming session of 1842 to give to the Combined Court the assurance which your Lordship directed should be conveyed to them, namely, that it was my intention to propose to them annually a vote for immigration services, unless Her Majesty's Government should instruct me to adopt any other course.

Mr. Rose's speech was the only one made in the Court of Policy on the amended Immigration Bill; and the question has, therefore, thus far proceeded, and will continue to the end without collision or any disturbance of the harmony of the court.

I cannot hold out however to your Lordship any prospect that the amendments in the Ordinance recommended by your Lordship will be adopted.

I have, &c.
(signed) *Henry Light.*

EXTRACT from the MINUTES of the PROCEEDINGS of the Honourable the COURT OF POLICY of the Colony of *British Guiana*, at its Adjourned Assembly, held at the Guiana Public Buildings, Georgetown, Demerara, Tuesday, 17 August 1841.

(After Prayers).

Was then brought up for a second reading, according to the order of the court, on the 8th ultimo, a Bill to amend the Immigration Ordinance.

The Honourable Mr. Rose, seconded by the Honourable Mr. Croal, moved that the said Bill be read a second time this day six months.

The

The court divided:

For the motion,		Against it,	
Honourables:	Alves.	Honourables:	Young.
—	Rose.	—	Robinson.
—	Pearce.	—	Gloster.
—	Croal.	—	Chief Justice.
—	Back.	—	Governor.

The votes being equal, the motion was declared not carried.

The Honourable Mr. Young, seconded by the Attorney-general, then moved that the said Bill be now read a second time.

The court divided:

For second reading,		Against it,	
Honourables:	Young.	Honourables:	Alves.
—	Robinson.	—	Rose.
—	Gloster.	—	Pearce.
—	Chief Justice.	—	Croal.
—	Governor.	—	Back.

The Governor gave a casting vote in favour of the motion, and the said Bill was thereupon read a second time.

The Honourables Messrs. Rose, Croal, and Pearce, gave notice that they would enter on the minutes a protest against the exercise by the Governor of a double vote.

The Honourable Mr. Croal, seconded by the Honourable Mr. Pearce, moved that the further discussion of this Bill be postponed until the 10th November next.

The court divided:

For the motion,		Against it,	
Honourables:	Alves.	Honourables:	Young.
—	Rose.	—	Robinson.
—	Pearce.	—	Gloster.
—	Croal.	—	Chief Justice.
—	Back.	—	Governor.

The votes being equal, the motion was declared not carried; and it was ordered, agreeably to the standing rules of the court, that the said bill be brought up for debate, clause by clause, this day week.

(A true extract.)

(signed) *H. E. F. Young*, Secretary.

A BILL to Amend an Ordinance, intituled, "An Ordinance to Regulate and Encourage Immigration into *British Guiana*."

Read first time, 8 July 1841.

Read second time, 17 August 1841.

H. E. F. Young, Secretary

WHEREAS it is expedient that certain of the provisions of the Ordinance, No. 4, anno 1841, intituled, "An Ordinance to Regulate and Encourage Immigration into British Guiana," should be altered and amended;

Be it therefore, and it is hereby declared, that the first clause of the said Ordinance shall be, as the same is hereby declared to be, repealed and annulled, and in the lieu thereof, Be it, and it is hereby enacted and ordained, that the Governor (unless otherwise instructed by Her Majesty's Government) shall annually propose to the Honourable the Court of Policy a vote from and out of the colonial revenues to be appropriated for immigration services.

And be it further enacted, that so much of the proviso in the fifth clause of the said Ordinance contained as declares that the rules and regulations in the Schedule (A.) contained, touching and relating to the number of persons in proportion to the tonnage, and to the height between decks, and the rate of one person for every 15 superficial feet, shall not extend, or be construed to extend, to any of the steam-vessels of the Royal Mail Steam Navigation Company, or of the Steam Navigation Company of British Guiana, shall be, as the same is hereby declared to be, repealed and annulled.

And be it further enacted, that so much of the 9th and 10th clauses, or any other clause of the said Ordinance, as declare and direct the payment of any monies in pursuance of any warrants issued in the customary manner, shall be, as the same are hereby declared to be, repealed and annulled; and in lieu thereof, be it, and it is hereby enacted, that all such payments, and that all other payments to be made from and out of the Colonial Chest, under and by virtue of the provisions of the said Ordinance, shall be made in pursuance of warrants to be issued under the hand of the Governor for the time being, and not otherwise.

Appendix, No. 3.

MR. ROSE, on rising to oppose this measure, said that the Ordinance which it was now proposed to amend had been passed on the assurance of Sir Henry Macleod that it would receive the assent of Her Majesty's Government, together with the new Civil List; and it was to be recollected that Sir Henry Macleod was specially sent here to bring to a close the differences which then existed between his Excellency the present Governor and the colonial members of the Combined Court. The Immigration Bill was passed with the Civil List Bill; the one was the consideration given in part for the other, and the two must stand or fall together. He had other reasons, however, for opposing this Amendment Bill. The despatch on which this Bill was founded had proceeded from incorrect information concerning the practice and proceedings of this court and the Combined Court. The despatch says that in the first clause of the Immigration Ordnance there is an alteration from the draft Ordnance sent from home; and it goes on to state, "that the effect of this alteration would be to give to the Combined Court the origination of money votes for immigration services, and would therefore violate the rule laid down in my despatch, No. 53, of the 11th February 1840, and exceed the powers which Her Majesty's Government are prepared to grant to the Combined Court during the term of the Civil List in matters of financial legislation." Now it is well known that the Combined Court, ever since its existence, has had the power of increasing or diminishing any item on the annual estimate, the amount of the vote being a matter of right belonging to the Combined Court. The Governor and Court of Policy might put down the items for any sum, but each was separately voted by the Combined Court; and when it came to be voted in that court, the sum might be made larger or smaller, or be struck off the estimate. But the despatch further states, "Sir Henry Macleod is of opinion that the alteration was meant to secure an annual appropriation of money to immigration purposes." Sir Henry Macleod (said Mr. Rose) had interpreted the proceedings of this court correctly; he had come to bring our differences to a termination, and he best knew the reasons which influenced the colonial members. Again the despatch says, "On this point you will represent to the Court of Policy and to the Combined Court that it is your intention to propose to them annually a vote for immigration services, unless you should be instructed by Her Majesty's Government to adopt any other course." Unless you should be instructed by Her Majesty's Government to adopt any other course! (exclaimed the honourable member) why this would leave the wants of the colony completely at the mercy of the Secretary of State, who might stop the course of immigration at any moment he thought proper, and thus destroy colonial interests without the possibility of recovery. Past circumstances had taught the colonists that this was a state of things to which they should not trust, and their experience would not in this instance be lost upon them. The despatch then said, "The Ordinance contains another alteration from the draft sent from this country." And it proceeds in the next section to enumerate "Clauses 4, 9, and 10," in which "It is enacted that the issues of money under the Ordinance shall be made, not by the Governor's warrant only, but by warrants in the customary form; a course which would require the sanction of a finance committee of the Combined Court for payments of money for which the requisite votes had already passed." Here (observed Mr. Rose) the Colonial Secretary had been misinformed. The finance committee was not a committee of the Combined Court, but a committee of the Court of Policy. The despatch, after erroneously stating that issues of money were sanctioned by a committee of the Combined Court, in the following section pointed out the mode in which payments for immigration purposes should be made: "The warrant of the Governor must be considered as the adequate authority for payments." Now (said Mr. Rose), the Governor never had authority to issue money from the colonial treasury except by payment of the Civil List, and the authority in this case was expressly given him by Ordinance. He (Mr. Rose) could not help thinking that this despatch had reached this colony in May, when the Combined Court had not yet separated; and he was at some loss to account for a despatch of so much importance, one which was so intimately connected with matter that had been before the Combined Court during the session;—he said he was surprised that such a despatch was not submitted to the court, but on the contrary, was kept a secret until the session of the Combined Court had been closed. From all that had passed between the members of the court and Sir Henry Macleod, during his negotiations with them, there was not the slightest ground to suspect that the differences and disagreements which he had settled on his mission to this colony would ever be renewed. The whole question had been satisfactorily closed; and he (Mr. Rose) would oppose its being re-opened. If it be re-opened, the violation of a solemn compact entered into will be on the part of the Secretary of State. These being his reasons for opposing the Bill before the court, he would now move that it be read a second time this day six months.

Mr. Croal seconded the motion, because the Bill would disturb an arrangement that had been made for the settlement of former differences with the Government, and because it contained a clause which this court could not sanction without the concurrence of the Combined Court.

— No. 5. —

(No 118.)

COPY of a DESPATCH from Governor *Light* to the Right Hon. Lord *John Russell.*

My Lord, Arabian Coast, Essequibo, 2 September 1841.

I HAD the honour of acquainting your Lordship, in my despatch, No. 102, dated 19 August, that were was but little chance of the unofficial members of the Court of Policy consenting to amend the Immigration Ordinance on those very essential points, which appear to your Lordship to require amendment; namely, first, that the issues of money should be made on the warrant of the Governor only; and second, that the amount to be annually placed on the estimate for expenditure during the year should be fixed by the Governor and Court of Policy, and not by the Combined Court.

I have now to inform your Lordship, that seven days after the second reading of the Bill to amend the Immigration Ordinance, in conformity with your Lordship's instructions, and according to standing rules and to previous appointments, I attended the Court of Policy without being able to form a quorum of members for the dispatch of business, consequently the court remains adjourned, and will probably so continue until the early part of October.

I do not think any great public inconvenience can arise from the delay, inasmuch as, before the next session, a decision will certainly have been arrived at in regard to the amendments of the Immigration Ordinance, and should they be rejected by the Court of Policy, it will still be in your Lordship's power, by a disallowance of the existing Immigration Ordinance, to prevent so irregular and unconstitutional a power as that which, at their next session, the Combined Court would under the present Ordinance exercise; namely, that of determining the amount to be placed on the estimate of expenditure.

Mr. Back, who was the only unofficial member who attended the court, when a quorum could not, as I have said, be formed, made an observation that his colleagues expected from a change of ministry an abandonment of the amendment proposed in the Immigration Ordinance, and it would appear from the accompanying note from the Honourable P. Rose to the Government Secretary, that the absence of the rest of the unofficial members was a preconcerted plan to obtain delay, until it should be ascertained what were the changes in Her Majesty's Government.

I have &c.
(signed) *Henry Light.*

My dear Sir. Georgetown, 19 August 1841.

I FIND it will be out of my power to attend the Court of Policy on Tuesday the 24th instant: my attendance on public business during the present year has so much interfered with my private affairs, that I must now devote some time to them; besides which, my health is such that is necessary for me to go to the country for change of air. There is no other business before the court but the Immigration Ordinance, and I can see no harm in its standing over until the court meet in October. All the other members are equally anxious that the court should stand adjourned until October. Under these circumstances, I hope his Excellency will not object to it. It is only fair for me to state, that I feel convinced that none of the elective members will be able to attend before that time; at all events, I cannot. Under these circumstances, if his Excellency wishes to leave town, it will be unnecessary to wait until Tuesday in expectation of making a court.

I am &c,
(signed) *Peter Rose.*

The Hon. H. E. F. Young,
&c. &c. &c.

(True copy.)
H. E. F. Young Government Secretary.

— No. 6. —

(No. 153.)

COPY of a DESPATCH from Governor *Light* to the Right Honourable Lord *Stanley.*

Government House, Demerara,
My Lord, 17 November 1841.

I HAVE the honour to forward to your Lordship an extract minute of the proceedings of the Court of Policy, dated the 12th instant, from which your Lordship will perceive that the Legislature decline enacting two of the three amendments to the existing Immigration Ordinance, which your Lordship's predecessors deemed to be essential, previously to Her Majesty being advised to allow the said Ordinance.

The amended Ordinance which has been passed consists but of one clause, repealing the exemption, which existed in the original Ordinance, of the vessels of the British Guiana Steam Navigation Company from those rules which by law are declared applicable to vessels conveying emigrants.

I. 1839: Marquis of Normanby No. 70, 15 August. No. 21, 22 March. Lord John Russell, No. 2, 7 September. No. 10, 30 September. 1840: No. 53, 11 February. No. 57, 15 February.

Appendix, No. 3.

2.

No. 184, 8 April 1841.

I have the honour of enclosing the said Ordinance, that it may be submitted for the allowance or disallowance of Her Majesty.

The amendments which have been expunged from the Bill I was directed to introduce had for their object, first, to divest the Combined Court of the unconstitutional and unprecedented power of determining that there should be annually appropriated to the introduction of labourers any sum of money they thought necessary; and secondly, to restore to the Governor the undivided authority of issuing warrants for the payment of monies appropriated to emigration purposes.

Should your Lordship deem it expedient to advise Her Majesty to disallow the existing Immigration Ordinance, on account of the non-adoption by the local Legislature of the amendments proposed to them, it will of course follow that the present amended Ordinance now transmitted should also be disallowed.

I beg to draw your Lordship's particular attention to the reasons recorded on the minutes by Mr. Rose against the amendments proposed to be made to the existing Immigration Ordinance, and in which reasons the other non-official members expressed their concurrence in writing.

Mr. Rose's first statement is, that Sir Henry Macleod was delegated to arrange the Civil List and the Immigration Ordinances.

The Parliamentary Papers on the subject of the Civil List will not however bear Mr. Rose out in extending the scope of Sir Henry Macleod's mission beyond the single object of settling the Civil List.

The enactment of an Immigration Ordinance, which permitted funds to be applied to the introduction of labourers, certainly became unobjectionable so soon as due provision had been made for the maintenance of the civil government of the colony.

Had the Ordinance enacted by Sir Henry Macleod neither conferred on the Combined Court unconstitutional powers, nor deprived the Governor of that authority in respect to money warrants, the propriety of which had been insisted on by the Marquis of Normanby, and reiterated by Lord John Russell, it would have been of little moment whether the Ordinance was passed by the officer whose special mission was expressly limited to the arrangement of the Civil List, or by the Governor of the colony.

The Parliamentary Papers clearly show that in reference to the Immigration Ordinance there was no matter, as Mr. Rose expressed it, "in dispute between Governor Light and the members of the Combined Court," except as to whether intercourse with India and Africa, for the purpose of procuring emigrants, should be expressly and fully permitted in the Ordinance, and be specially covenanted to endure so long as the Civil List continued in existence.

This point of difference my instructions from Downing-street prohibited me from yielding according to the wishes of the Court of Policy; nor did Sir Henry Macleod make such a concession.

It seems, however, to be inferred by the non-official members, that the other important deviations from the draft Immigration Ordinance (which was first submitted to the Court of Policy by me, on the authority of the then Secretary of State), and which deviations are found in the existing Ordinance enacted by Sir Henry Macleod, are such deviations as Sir Henry Macleod not only was authorized to make, but were actually made by him in consideration of obtaining the present Civil List of British Guiana.

Soon after the Marquis of Normanby signified to me that Her Majesty had been pleased, on account of one of the defects which at present exists in the Immigration Ordinance passed by Sir Henry Macleod, to disallow an Immigration Ordinance passed by myself and the Court of Policy, I had the honour of receiving a draft of a new Immigration Ordinance from Lord John Russell.

If Sir Henry Macleod had authority to enact an Ordinance so dissimilar in many essential points from Lord John Russell's draft, then he possessed the means of settling the Civil List to the satisfaction of the Combined Court, of which I had neither the opportunity nor the authority to avail myself.

If, however, Sir Henry Macleod had no such authority as the amendments which I have been subsequently directed to propose to the Court of Policy necessarily imply, then your Lordship will permit me, discarding as I do, most sincerely and unaffectedly, all personal feeling, to regret that the settlement of the Civil List and Immigration Ordinance should have been withdrawn from the hands of the Governor of the colony, who originated them with the previously obtained approbation of the Secretary of State, and transferred to the Lieutenant-governor of a smaller neighbouring province, with no other permanent alternative than either of obtaining a Civil List at the sacrifice of those constitutional principles which are violated in the existing Immigration Ordinance; or at the risk, if the non-official members persist in deeming the one Ordinance to be dependant on the other, of disturbing the Civil List Ordinance, should your Lordship, by disallowing the Immigration Ordinance, continue to assert those constitutional principles, which I was instructed by your Lordship's predecessors to consider as of the most essential importance.

The second statement of Mr. Rose has reference to the exercise by me of the privilege of a double vote; and it is possible to infer, although such cannot be Mr. Rose's meaning, that the double vote was used in passing the Immigration Ordinance herewith transmitted.

Despatch, No. 102, 19 August. Document, No. 3. 12th instant.

My double vote was used to obtain a second reading of the Ordinance; after which the two important amendments contained in it were expunged on the debate of the Bill in committee, when, as your Lordship will perceive by the extract minute of the court, I did not vote at all.

Your Lordship will also perceive, from the length of time the Bill was before the court without

without enactment, that I yielded most patiently to the numerous delays which, on one pretext or other (and latterly on the allowed supposition that a change of Ministry would alter the views of Her Majesty's Government as to the necessity of the amendment), were interposed to its final decision.

The amendments objectionable to the non-official members were expunged without any debate, and the Ordinance, stripped of those amendments, and herewith transmitted, was finally passed without opposition, because, as far as its single enactment extends, it is wholly unobjectionable.

I have, &c.
(signed) *Henry Light.*

(No. 1.)

EXTRACT from the MINUTES of the PROCEEDINGS of the Honourable the COURT of POLICY of the Colony of *British Guiana*, at its Ordinary Assembly, held at the Guiana Public Buildings, Georgetown, Demerara, Friday, 12th November 1841.

(After Prayers.)

Was then brought up for debate, clause by clause, a Bill to amend the existing Immigration Ordinance.

The Hon. Mr. Rose read the following statement of his reasons against the Bill, in which reasons the other non-official members signified their concurrence.

1st. Because the Immigration Ordinance, which the Bill proposes to repeal, was passed on the 18th of January last by his Excellency Sir Henry Macleod and the Court of Policy. Sir Henry Macleod was delegated by Her Majesty's Government to arrange the matters in dispute between his Excellency Governor Light and the members of the Combined Court; these were the Civil List and the Immigration Ordinance. The members of the Combined Court never for one moment doubted the powers of Sir Henry Macleod; and in good faith and entire confidence that every measure passed by him would receive the sanction of Her Majesty, they entered upon the consideration of the Civil List, and settled upon Her Majesty a Civil List which has been acknowledged to be liberal and satisfactory. The elective members of the court explained in clear and express terms to Sir Henry Macleod, that without extensive immigration the colony could not support a Civil List to the extent which they were ready to grant in compliance with the wishes of Her Majesty's Government, and the Ordinance now sought to be repealed was passed accordingly.

2d. Because the right claimed by his Excellency the Governor of exercising a double vote when the court is equally divided, that is, the official section all voting in favour of a measure, and the elective section against it, is entirely of modern date, and has only been exercised by two Governors, namely, the late Sir James C. Smyth, bart. and his Excellency Governor Light, all previous Governors having refrained from exercising the double vote, and no law having ever been enacted unless with the support of at least one elective member. If it be necessary to have six members present to form a court, the necessity appears to imply that there should be a majority of the members actually present to enact a law, without resorting to the Governor's double vote.

If the official section can, in direct opposition to the votes of the elective, enact laws by the Governor exercising his double vote, it appears to me that the elective members of this court are summoned merely to record the decrees of his Excellency and the official section, as their votes are of no effect. They must, therefore, be continued with the sole view of making it appear that the colonists enjoy a popular representation, whilst in reality none exists.

(signed) *Peter Rose.*

I concur in the foregoing reasons.

(signed) *Jno. Croal.*

I also concur in the foregoing.

(signed) *W. J. F. Back.*

I also concur in the foregoing.

(signed) *Jno. Pearce.*

The first clause of the Bill being then read, the Honourable Mr. Rose, seconded by the Honourable Mr. Croal, moved that the said clause be expunged.

The court divided:

For the motion,	Against it,
Honourables: Rose.	Honourables: Young.
— Pearce.	— Chief Justice.
— Croal.	
— Back.	

The motion was declared to be carried, and the clause was accordingly expunged.

Appendix, No. 3.

The second, having reference to the exemption of the vessels belonging to the Steam Navigation Company of British Guiana, from the rules of the Immigration Ordinance, was then read, and agreed to.

The third clause being read, the Honourable Mr. Croal, seconded by the Honourable Mr. Back, moved that the said clause be expunged.

The court divided:

For the motion,		Against it,	
Honourables:	Rose.	Honourables:	Young.
—	Pearce.	—	Chief Justice.
—	Croal.		
—	Back.		

The motion was declared to be carried, and the clause was accordingly expunged.

The Bill having then been gone through, it was ordered that the said Bill be engrossed, and thereafter brought up for a third reading.

The Honourable Mr. Robinson here entered the court.

The court then proceeded with the other business of the session, &c.

Was then brought up an engrossed copy of the Bill to amend the existing Immigration Ordinance; it was moved by the Honourable Mr. Young, and seconded by the Chief Justice, that the standing rules as to the period at which Bills may be read a third time, be, as respects the Bill, consisting of but one short clause, suspended; and that the said Bill be now read a third time. It was ordered accordingly; and the said Bill having been read a third time, the question was put whether said Bill do now pass. It was carried in the affirmative, *nem. con.*, and the following title was given to the Bill:

"An Ordinance to amend an Ordinance, entitled an Ordinance to regulate and encourage Immigration into British Guiana."

(A true extract.)

(signed) *H. E. F. Young*, Secretary.

(No. 3.)

EXTRACT from the MINUTES of the PROCEEDINGS of the Honourable the COURT of POLICY, of the Colony of *British Guiana*, at its Adjourned Assembly, held at the Guiana Public Buildings, Georgetown, Demerara, Tuesday, 17th August 1841.

(After prayers.)

Was then brought up for a second reading, according to the order of the court, on the 8th ultimo, a Bill to amend the Immigration Ordinance.

The Honourable Mr. Rose, seconded by the Honourable Mr. Croal, moved that the said Bill be read a second time this day six months.

The court divided:

For the motion,		Against it,	
Honourables:	Alves.	Honourables:	Young.
—	Rose.	—	Robinson.
—	Pearce.	—	Gloster.
—	Croal.	—	Chief Justice.
—	Back.	—	Governor.

The votes being equal, the motion was declared not carried.

The Honourable Mr. Young, seconded by the Attorney-general, then moved that the said Bill be now read a second time.

The court divided:

For second reading,		Against it,	
Honourables:	Young.	Honourables:	Alves.
—	Robinson.	—	Rose.
—	Gloster.	—	Pearce.
—	Chief Justice.	—	Croal.
—	Governor.	—	Back.

The Governor gave a casting vote in favour of the motion; and the said Bill was thereupon read a second time.

The Honourables Messrs. Rose, Pearce, and Croal, gave notice that they would enter on the Minutes a protest against the exercise by the Governor of a double vote.

The Honourable Mr. Croal, seconded by the Honourable Mr. Pearce, moved that the further discussion of this Bill be postponed until the 10th November next.

The

The Court divided :

For the motion,		Against it,	
Honourables :	Alves.	Honourables :	Young.
—	Rose.	—	Robinson.
—	Pearce.	—	Gloster.
—	Croal.	—	Chief Justice.
—	Back.	—	Governor.

The votes being equal, the motion was declared not carried; and it was ordered, agreeably to the standing rules of the court, that the said Bill be brought up for debate, clause by clause, this day week. *

(A true extract.)

(signed) *H. E. F. Young*, Secretary.

— No. 7. —

(Private.)

COPY of a DESPATCH from Governor *Light* to the Right Hon. Lord *Stanley*.

My Lord, Government House, Demerara, 20 November 1841.

MY public despatch of the 17th instant, respecting the rejection by the Legislature of those amendments in the Immigration Ordinance which were proposed to them, agreeably to my instructions, made allusion to the possibility, if that Ordinance were disallowed, that the continuance of funds to pay the Civil List might, so far as depended on the Combined Court be rendered doubtful.

This possibility was inferred from the tone of the non-official members of the Court of Policy, and from the indissoluble connexion in each and all of their various details, which is, by the non-official members, implied to exist between the Immigration Ordinance and Civil List Ordinance, as enacted by Sir Henry Macleod.

The object of this private despatch is to present to your Lordship my view of the weight which is due to the implied threats of the non-official members, of the instability of the Civil List if the Immigration Ordinance be disallowed or amended by the Queen in Council.

It appears to me, that if the Immigration Ordinance be at once disallowed, with an intimation of your Lordship's readiness to advise Her Majesty to sanction and confirm a new Ordinance free from the defects of Sir Henry Macleod's Ordinance, the Legislature would re-enact an Ordinance with the requisite amendments, rather than suffer the colony to remain without an Immigration Ordinance, at a time when the prospect of obtaining labourers is considered so favourable.

It appears to me also that any refusal to place funds on the annual estimate to meet the Civil List would be nugatory, for the Import Duty Ordinance, which continues in force for the next seven years, with the surplus customs and Crown revenues, would probably suffice to pay the Civil List.

Under any circumstance, I am confident that your Lordship's discernment and justice will wholly acquit me of any participation in the embarrassments, if any do occur, which may result from Sir Henry Macleod's Ordinances.

I have, &c.

(signed) *Henry Light*.

— No. 8. —

(No. 75.)

COPY of a DESPATCH from the Right Hon. Lord *Stanley* to Governor *Light*.

Sir, Downing-street, 2 May 1842.

I HAVE had under my consideration your despatches of the numbers and dates noted in the margin.

No. 87, 19 July 1841
No. 102, 19 Aug. –
No. 118, 2 Sept. –
No. 153, 17 Nov. –
Private, 20 Nov. –

Although it is impossible for Her Majesty's Government to sanction the alterations made by the Court of Policy in the original draft of the Ordinance transmitted to you by Lord John Russell, as containing the modifications and embracing the measure which after mature consideration Her Majesty's Government were prepared to sanction, it is satisfactory to observe that there is no difference of opinion in regard to the main provisions of the Ordinance, and that there exists no contrariety of interests in this case to be reconciled.

The

* *N.B.*—The court did not then meet, but assembled at its ordinary session on the 26th October. The Bill was read a first time, 8th July; second time, 17th August. On the 26th October, the non-official section not being complete in number, the Bill was again postponed.

On the 12th November the Bill was debated, two amendments expunged, and one amendment enacted by Ordinance.

Appendix, No. 3.

The alterations introduced into the Ordinance sent home by Sir Henry Macleod are inadmissible, because they involve a departure from constitutional principles of government if sanctioned; they would authorize the Combined Court, in lieu of the Governor and Court of Policy, to initiate money votes; and would require that money once set apart for the public service by the Governor and Court of Policy, with the financial representatives in Combined Court assembled, should be issued with the sanction of the finance committee of the Court of Policy, instead of by the Governor's warrant alone.

In your despatch, No. 153, of the 17th November, you have transmitted an Ordinance repealing the exemption which had been made by the Court of Policy in favour of certain steam companies; but you report that the court had declined to enact the other amendments above referred to.

Order in Council, 27 April 1842.

I have now therefore to transmit, for your information and guidance, an Order of Her Majesty in Council, declaring that if at the expiration of three months after the receipt of the Order in British Guiana no Ordinance shall have been passed by the Governor and Court of Policy containing the modifications above referred to, the Immigration Ordinance passed on the 18th day of January 1841 shall be null and void.

I have been induced to take this course, rather than that of advising Her Majesty at once to disallow the Ordinance, in the earnest hope that the Court of Policy will put an end to all embarrassment by passing within the specified interval an Ordinance with the necessary modifications.

You will at the same time inform the Court of Policy that Her Majesty's Government will not object to a modification of the Ordinance in regard to the proportion of sexes to be introduced under its provisions, if such relaxation should appear to them to be advantageous to the colony. In lieu of an equality in the number of male and female immigrants, Her Majesty's Government would be prepared to sanction the rule, that in each case of importation one-third of the immigrants should be females.

I should wish to be informed whether there would be any objection to your proposing the grant of a definite sum annually for (say) three years, for the purposes of immigration; specifying the place which the appropriation of such sum would occupy in the order of the public expenditure, and whether such proposal would be acceptable to the Combined Court.

I have, &c.
(signed) *Stanley.*

At the Court at Buckingham Palace, the 27th day of April 1842; present, The Queen's Most Excellent Majesty, &c.

WHEREAS on the 18th day of January 1841, an Ordinance was passed by Sir Henry Macleod, then Governor of the colony of British Guiana, by and with the advice of the Court of Policy of the said colony, intituled, "An Ordinance to regulate and encourage Immigration into British Guiana:"

And whereas the first clause of the Ordinance aforesaid enacts, that from and out of the revenues annually accruing within the colony, there shall be annually set apart and paid and applied, for the purpose of encouraging the introduction into the colony of labourers in husbandry, such sum and sums of money as have already been, or which shall or may hereafter be raised and set apart for that object, by the Governor and Court of Policy with the financial representatives in Combined Court assembled:

And whereas it is enacted, in the 4th, 9th, and 10th clauses of the Ordinance aforesaid, that the monies thereby authorized to be paid to the several parties, and on the several accounts therein mentioned, shall be paid by the Receiver-general of the colony under warrants to be issued in the customary form:

And whereas in the 8th clause of the Ordinance aforesaid it is not stated by whom and in what manner the bounties therein authorized shall be issued:

And whereas it is expedient that the 1st clause of the Ordinance aforesaid should be repealed altogether, or be altered and amended as follows; viz. "Be it enacted, that from and out of the revenues annually accruing within this colony, there shall be annually set apart and paid and applied, for the purpose of encouraging the introduction into this colony of labourers in husbandry, such sum and sums of money as have already been raised and set apart for that object, and such further sum and sums of money as shall or may hereafter be proposed by the Governor, and subsequently raised and set apart for that object by the Governor and Court of Policy with the financial representatives in Combined Court assembled:"

And whereas it is further expedient that the monies authorized to be paid to the several parties and on the several accounts mentioned in the 4th, 9th and 10th clauses of the Ordinance aforesaid, should be so paid by the Receiver-general of the colony, in pursuance of any warrant to be addressed to him for that purpose by the Governor; and that the 8th clause of the Ordinance aforesaid should provide that the bounties therein authorized to be made shall be payable in pursuance of any such warrants as aforesaid:

And whereas it is expedient that the Ordinance aforesaid should be disallowed by Her Majesty, unless an Ordinance shall be passed by the Governor and Court of Policy, containing the several modifications hereinbefore mentioned:

And whereas it is expedient that a period of time should be fixed within which an Ordinance should be passed by the Governor and Court of Policy for the purposes aforesaid;

Now,

Now, therefore, Her Majesty is pleased, by and with the advice of Her Privy Council, to declare, and it is hereby declared, that if at the expiration of three months after the receipt in the colony of British Guiana of this Her present Order, no Ordinance shall have been passed by the Governor and Court of Policy, containing the modifications hereinbefore mentioned as required to be made in the Ordinance passed on the 18th day of January 1841, the Ordinance last mentioned shall be and is hereby declared to be null and void and of no effect.

And the Right honourable Lord Stanley, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

— No. 9. —

(No. 125.)

COPY of a DESPATCH from Governor *Light* to the Right Hon. Lord *Stanley*.

Government House, Demerara,
1 July 1842.

My Lord,

I HAVE the honour to report to your Lordship, that at a meeting of the Court of Policy assembled this day, for the purpose of selecting a member in the room of Mr. Back, whose term of service had expired, I addressed the accompanying minute to the court on the subject, relative to the Immigration Ordinance passed by Sir Henry Macleod and the Court of Policy, according to the tenor of your Lordship's instructions, conveyed in despatch No. 75, date 2d May.

I trust the language of my minute will be approved, as I have carefully endeavoured to invite, by conciliatary expressions, a corresponding feeling in the minds of the colonial members.

There was only one colonial member present when I read my minute, but Mr. Rose shortly after arrived. The acting Attorney-general brought in an amended Immigration Ordinance, which was read *pro formâ* the first time, but the further progress of the Bill was postponed till the 27th instant.

I fear the obstinacy of the leaders of the colonial party will again jeopardise the general desire for emigration on the terms proposed.

I have, &c.
(signed) *Henry Light.*

Governor *Light*'s Minute to the Court of Policy, 1 July 1842.

I LAY before the court extract of a despatch, No. 75, dated 2d May, from the Right honourable the Secretary of State for the Colonies, relative to the Immigration Ordinance passed by Sir Henry Macleod and the Court of Policy, and which I had been directed to amend.

The court having declined to amend those clauses considered objectionable by Her Majesty's Government, I have to inform you that the above despatch is accompanied by an Order in Council, which declares, that if within three months after the receipt of the Order in Council in the colony an amended Ordinance be not passed by the Governor and Court of Policy, in the terms of the Order in Council, the Immigration Ordinance passed by Sir Henry Macleod and the Court of Policy becomes null and void and of no effect.

The despatch and Order in Council were transmitted by the 1st May mail, but were not received by me till the arrival of the 1st June mail, on the 26th instant, having been missent to Antigua, whence it reached Barbadoes on the 22d instant.

The differences between the original Immigration Ordinance introduced by me, in conformity with a draft sanctioned by the Secretary of State, and the Ordinance upon this subject subsequently enacted by Sir Henry Macleod and the court, are, in constitutional points of view, of the highest importance, and their enactment, as originally proposed by me, is considered indispensably necessary to the continued existence of the Immigration Ordinance.

The principles of the Ordinance and their application are left intact; indeed, I am happy to say that they are rendered practically more extensive to the colony, by relaxing the rule respecting the equality now required between the numbers of the different sexes to be imported.

I have only to add, that there is not the slightest objection to subject every claim on the immigration votes of the Combined Court to the strictest scrutiny, and that, under all the circumstances, I earnestly hope that the court will promptly and cheerfully pass a Bill embodying the required amendments, and thus render the operation of Her Majesty's Order in Council unnecessary.

It was not my intention to have brought forward to-day any other business than that of the selection of a member of the Court of Policy to the vacant seat, but I am compelled, by the wording of the Order in Council, to bring the subject to your consideration on the earliest occasion, although I have no intention of pressing its discussion until a reasonable time shall have elapsed after the completion of the court.

(signed) *Henry Light.*

Appendix, No. 3.

— No. 10. —

(No. 133.)

COPY of a DESPATCH from the Right Hon. Lord *Stanley* to Governor *Light*.

Sir, Downing-street, 16 September 1842.

I HAVE received your despatch, No. 125, of the 1st July, transmitting the copy of a minute addressed by yourself to the Court of Policy, in pursuance of the instructions conveyed to you relative to the Immigration Ordinance passed by Sir Henry Macleod.

I approve of the terms of your address to the court on this occasion.

I have, &c.
(signed) *Stanley.*

— No. 11. —

(No. 153.)

COPY of a DESPATCH from Governor *Light* to the Right Honourable Lord *Stanley*.

My Lord, Government House, Demerara, 6 August 1842.

I HAD the honour of reporting to your Lordship, in my despatch, No. 125, date 1 July, my proceedings in the Court of Policy on the receipt of your Lordship's despatch, No. 75, date 2 May, and the accompanying Order of Her Majesty in Council, of date 27 April, relative to the amendments required to be made in the Immigration Ordinance of the 18th January 1841, passed by Sir Henry Macleod.

I have now the honour to inform your Lordship that the second reading of an Ordinance repealing the above-named Ordinance, and containing the required amendments, took place on the 27th July, previous to which reading Mr. Rose read a protest, not only against the amendments, but against the Orders in Council of the 27th April and of the 3d of June, copy of which I have the honour to forward. His protest not being supported by any other of the non-official section, the Ordinance was ordered to be brought up for discussion on the 1st of August, when it was read a third time and passed, in the terms of the Order in Council, Mr. Rose again protesting against taking any part in the discussion of the Ordinance, (*vide* Minute.) I am happy to say that no opposition was made by the three other Colonial Members present, nor any angry feeling shown.

1.

2.

I have now the honour of forwarding copy of the Ordinance, intituled, "An Ordinance to repeal an Ordinance to regulate and encourage Immigration into British Guiana, and to make other Provisions in lieu thereof," which I most respectfully submit for Her Majesty's gracious approval.

I now beg to render your Lordship my most grateful thanks for having proved to the colony under my administration, that in originally refusing to accede to an Immigration Ordinance in the terms granted by Sir Henry Macleod, I acted on a principle of duty. It has compensated me for much mortification.

I have, &c.
(signed) *Henry Light.*

EXTRACT from the MINUTES of the PROCEEDINGS of the Honourable the COURT of POLICY of the Colony of *British Guiana*, at its Adjourned Assembly, held at the Guiana Public Buildings, Georgetown, Demerara, Monday, 1st August 1842.

(After Prayers.)

MR. Young, seconded by the Attorney-general, then moved the suspension of the Standing Rules respecting the period for debating Bills, and that the Immigration Bill be now debated, which was ordered accordingly; the Honourable Mr. Rose protesting against taking any part in the discussion of the Bill, for the reasons already mentioned.

The Bill being then debated, Mr. Young, seconded by the Attorney-general, moved the suspension of the Standing Rules respecting the third reading of Bills, and that the said Bill be now read a third time, which was ordered accordingly, the Honourable Mr. Rose again expressing himself as above. The Bill was then read a third time; and the question being put whether said Bill do now pass, it was ordered to be passed; the Honourable Mr. Rose declined voting, and the following title was then given to it:—

"An Ordinance to repeal an Ordinance passed on the 18th day of January 1841, intituled, An Ordinance to regulate and encourage Immigration into British Guiana, and to make other Provision in lieu thereof."

F. J.

(True extract.)
(signed) *H. E. F. Young*, Secretary.

THE Bill to repeal the existing Immigration Ordinance, and to enact another Ordinance in lieu of it, was brought up for a second reading, when Mr. Rose got up and read the following

PROTEST:

"THE Bill which it is proposed to read a second time is virtually the same as that read a second time on the 17th August 1841. I then stated my reasons for dissenting to this Bill; and I would not now trespass on the time of the court had not the circumstances connected with this Bill assumed a new aspect.

"His Excellency the Governor has laid on the table of this court an Order in Council, dated the 27th April 1842, in which I find the following words: 'That if at the expiration of three months after the receipt in the colony of British Guiana of this Her Majesty's present Order, no Ordinance shall have been passed by the Governor and Court of Policy, containing the modifications herein before mentioned as required to be made in the Ordinance passed on the 18th day of January 1841, the Ordinance last mentioned shall be, and is hereby declared to be, null and void, and of no effect.'

" In the Royal Gazette, dated the 16th July 1842, I find another Order in Council, bearing date the 3d June 1842, published by authority, purporting to grant to the Combined Court 'the free and unreserved discussion of the annual estimates.'

" But this Order in Council goes much further, for in it I find the following clause: 'And it is hereby further ordered, that all votes of the Combined Court for the payment of money shall be paid out under the authority of a warrant or warrants under the hand of the Governor, and not otherwise.'

" I shall now endeavour to show what the practice of this and the Combined Court has been hitherto, and the duties of the finance committee.

" 2dly. My reasons for dissenting from this Bill.

" 3dly. The illegality of the Orders in Council of the 23d April 1842, and 3d June of the same year.

" 1st. With regard to the practice hitherto pursued in framing the annual estimate, it has been, from time immemorial, the custom to lay before the Court of Policy the estimate of the previous year, or an exact transcript of it, containing every item on the old estimate. The Governor, or any member of the court, could propose any new item to be placed on the estimate, with this important difference, that his Excellency the Governor, by means of his casting vote, was almost certain of having any item he wished placed on the estimate in the Court of Policy. On the other hand, without the support of one of the official section, no elective member could succeed in placing an item on the estimate.

" The estimate once sent to the Combined Court with a new item on it, and sanctioned by that body, it was not competent for the Governor and the Court of Policy, the succeeding year, to expunge it. The item must remain on the new estimate until sent to the Combined Court, to deal with it as circumstances required.

" The duties of the finance committee have hitherto been to examine all accounts under the various heads on the estimate, and, if found correct, to pass them. They were then warranted by the secretary, in the name of the court. All accounts, on the other hand, which appeared to the committee of finance incorrect, were laid before the court for its decision. The finance committee, as such, never had authority to order the issue of money out of the colonial chest; the functions which the committee exercised were more partaking of auditors of accounts. This has been the invariable practice, and one which has hitherto worked well.

" 2dly. The Ordinance passed on the 18th day of January 1841, was enacted by the Court of Policy with the entire approval and sanction of Her Majesty's then representative, Sir Henry Macleod, who was specially commissioned by Her Majesty's Government to arrange all the points in dispute between his Excellency Governor Light and the elective section of the Court of Policy and Combined Court. These were the Civil List Ordinance and the Immigration Ordinance. These Ordinances were accordingly passed, and all matters amicably adjusted. The Court of Policy and the Combined Court had the assurance of Sir Henry Macleod that these Ordinances would be confirmed. It was fully explained to Sir Henry Macleod, that unless the Immigration Ordinance was confirmed, and a large influx of labourers were brought into the colony, it would be impossible to meet so large a Civil List; in fact, that on the confirmation of the Immigration Ordinance depended the continuance of the Civil List Ordinance. The Civil List Ordinance was duly approved by Her Majesty's Government. The Government were bound to confirm the Immigration Ordinance. The Court of Policy passed it, relying on the good faith of Her Majesty's Government. The non-confirmation of this Ordinance is a violation of a solemn pledge, given by an officer, specially delegated by Her Majesty's Government, for the adjustment of important points at issue between the colonists and his Excellency Governor Light.

" The Ordinance now before the court not only gives his Excellency the Governor the sole control of the money voted, but it also gives him the power of judging as to the wants of the colony, without referenee to this court. He may, in fact, of his own will and pleasure put a stop to immigration.

Appendix, No. 3.

" In my humble opinion, no one public officer (however high his rank) should be entrusted with the control of so large a sum of money, without the necessary checks for its due application having been first established. Leaving it in the power of the Governor alone to propose a sum of money, or to refuse placing one on the estimate, is not only injurious to the best interests of the colony, but a direct infringement and violation of the rights and privileges of this court, as guaranteed by the Royal letters patent of his late Majesty.

" 3dly. That the Orders in Council, dated respectively the 27th April and 3d June 1842, are illegal, and a violation of the rights and privileges granted to this colony. I find by the Royal letters patent, promulgated in this colony in July 1831, the following clause: ' And we further grant, direct, and appoint that the form of civil government heretofore by law established in the united colony of Demerara and Essequebo, shall be, and the same is hereby established in and throughout the said colony of British Guiana, and that all such bodies corporate and politic as have heretofore lawfully existed in the said united colony of Demerara and Essequebo, shall in like manner exist in and through the said colony of British Guiana, and shall in and through the said colony have, exercise, and enjoy all such powers and authorities as have heretofore been lawfully had, exercised, and enjoyed by them respectively in the united colony of Demerara and Essequebo.'

" Here we have the laws as established previously to 1831 guaranteed by the Royal letters patent; and I contend that the Crown has not the power to cancel, recal, or annul rights granted by letters patent to its subjects; that no authority can set aside the rights so granted, save only an Act of the Imperial Parliament. At the passing of the Reform Act this principle was recognised and acknowledged. In Great Britain, the most insignificant borough holding a charter from the Crown could not be disfranchised without the intervention of Parliament. But by the Orders in Council of the 27th April and 8d June, the rights of a large and important colony are set aside, notwithstanding they were guaranteed by a higher authority, by the Sovereign's letters patent. If the Crown has the power to recal, at its pleasure, letters patent which it has granted, it might reclaim half of the estates belonging to and held by private individuals in Great Britain. Nay, it might recal and annul the patents of nobility granted to peers.

" Placing under the control of the Governor alone the issuing of all money, without first having established by law the necessary safeguards and checks for its due application, I contend is not only illegal, but inexpedient and dangerous. Had Her Majesty's Secretary of State instructed his Excellency to lay before the court an Ordinance establishing proper rules and regulations for the due administration of the public revenues, granting to his Excellency the ministerial functions of issuing the warrants for the payment of money, after the forms prescribed had been duly observed, such a bill should have had my cordial support. The Order in Council of the 3d June provides no such safeguards, and is, therefore, as defective in its enactments as it is illegal and subversive of the rights of this court.

" For this and other reasons I protest against this Bill."

The Bill was then read a second time.

(No. 8.)

BRITISH GUIANA, 1842.

AN ORDINANCE to repeal an Ordinance passed on the 18th day of January 1841, intituled, " An Ordinance to regulate and encourage Immigration into British Guiana," and to make other Provision in lieu thereof.

ORDINANCE enacted by his Excellency *Henry Light*, Esq., Governor and Commander-in-Chief in and over the Colony of *British Guiana*, Vice-Admiral and Ordinary of the same, &c. &c. &c., by and with the Advice and Consent of the Honourable the Court of Policy of said Colony.

To all to whom these presents do, may, or shall come, greeting: be it known;

Preamble.

WHEREAS, on the 18th day of January, in the year of our Lord 1841, an Ordinance was passed by Sir Henry Macleod, then Governor of British Guiana, by and with the advice and consent of the Court of Policy thereof, intituled, " An Ordinance to regulate and encourage Immigration into British Guiana:" and whereas it is expedient and necessary that the said Ordinance shall be repealed;

Ordinance, 18 Jan. 1841, repealed.

1. Be it therefore enacted by his Excellency the Governor, with the advice and consent of the Court of Policy of British Guiana, that from and after the passing and publication of this Ordinance, the said Ordinance of the 18th of January 1841 shall be and the same is hereby declared to be repealed.

Annual sum for immigration to be proposed by Governor.

2. And be it further enacted, that from and out of the revenues annually accruing within this colony there shall be annually set apart, and paid and applied for the purpose of encouraging the introduction into this colony of labourers in husbandry, such sum and sums of money as shall or may hereafter be proposed by the Governor, and subsequently raised and set apart for that object by the Governor and Court of Policy, with the financial representatives in Combined Court assembled.

3. And

3. And be it further enacted, that it shall be lawful for Her Majesty, or for the Governor of this colony in the name and on the behalf of Her Majesty, by a commission to be for that purpose issued under the public seal of this colony, to appoint an officer, resident within the same, to be called the Agent-general for Immigration; and also to appoint at such ports or places beyond the seas, as to such Governor shall seem meet, any number of persons, not exceeding 10 at any one time, to be emigration agents for British Guiana at such ports or places; provided nevertheless, that, unless with the previous approbation of one of Her Majesty's Principal Secretaries of State, no such emigration agent shall be appointed at any port or place on the western or eastern coasts of the African continent, nor at the Island of Madagascar, nor at any other island adjacent to the said coasts of the said continent, and inhabited by the negro race. Agents appointed.

4. And be it further enacted, that the said agent-general, and the said emigration agents, shall respectively hold such their offices during Her Majesty's pleasure, and shall be liable to be suspended therefrom by the Governor of this colony, until Her Majesty's pleasure shall be known; and in the event of the death, resignation, suspension, removal, incapacity, or absence from his duties of any such officer as aforesaid, it shall be lawful for Her Majesty, or for the Governor of this colony, until Her Majesty's pleasure shall be known, to appoint a successor to discharge the duties of any such office, and so on from time to time, as often as any such vacancy may occur. Office of agents held during pleasure.

5. And be it further enacted, that it shall be lawful for the Governor of this colony, by warrant addressed to the colonial receiver, to issue, or cause to be issued, by four equal quarterly payments to the said agent-general for immigration, an annual salary not exceeding 500*l.* sterling per annum; and to each of the said emigration agents such remuneration as may seem reasonable: provided always, that such remuneration shall not, in any case, be given merely in proportion to the number of emigrants sent to the colony by any such agent. Salaries of agents.

6. And whereas it is expedient that bounties be paid for the reward and encouragement of persons introducing at their own expense labourers in husbandry into this colony, provided that the rules hereinafter prescribed for the due care of such labourers on their passage to this colony be duly observed, and that proof be made in manner hereinafter mentioned of the observance thereof; be it therefore enacted, that the rules and regulations set foth in the schedule hereunto subjoined, and marked with the letter (A), shall be observed and fulfilled in respect of every labourer introduced into this colony, for the introduction of whom a bounty shall be payable in virtue of this Ordinance, and in respect of any ship or vessel in which any such labourer may perform his or her voyage to this colony; provided that the aforesaid bounty shall not be paid or payable upon the importation of any labourer who shall have previously resided in this colony, or upon whom any bounty, or for whom any passage-money shall have been previously paid under the provisions of this Ordinance, or otherwise howsoever. Bounties allowed.

7. And be it further enacted, that it shall be the duty of the emigration agent for British Guiana, resident at the port or place at which any such labourer as aforesaid shall embark on his or her voyage to this colony, by personal inspection to satisfy himself whether the before-mentioned rules and regulations have or have not been observed and fulfilled in reference to any such labourer or labourers, ship or vessel, as aforesaid, in so far as the same relate to any act, matter, or thing to be done, or any arrangement to be made at or before the time of the clearing out of any such ship or vessel; and if satisfied in manner aforesaid of the observance and fulfilment in any such case of the said rules and regulations, it shall be the duty of the said emigration agent to deliver under his hand and seal to the master of such ship or vessel a certificate in writing addressed to the agent-general for immigration aforesaid, in the terms set forth in the second schedule hereunto subjoined, marked with the letter (B). Duties of agent.

8. And be it further enacted, that on the arrival of any such ship or vessel as aforesaid at this colony, it shall be the duty of the said agent-general immediately to go on board of and inspect the same, and also to examine in person each and every labourer introduced into this colony in any such ship or vessel, and to ascertain, as far as may be in his power, whether the rules and regulations aforesaid have been faithfully observed and fulfilled during the voyage by or on the behalf of the person or persons at whose charge any such labourers may have been so introduced; and it shall also be the duty of the said agent-general to cause to brought before him all the labourers enumerated in the muster-roll of any such ship or vessel, and to satisfy himself whether they are able-bodied labourers and in good health; and if any labourer enumerated in any such muster-roll shall not be forthcoming on the arrival of such ship or vessel at this colony, it shall be the duty of the said agent-general to inquire into and ascertain the cause of the non-appearance of any such person; and in case it shall be alleged that any such person as aforesaid had died during the voyage, then it shall be the duty of such agent-general to inquire into and ascertain the cause and circumstances of the death of any such person; and if the said agent-general shall be satisfied that the rules and regulations aforesaid have been observed and fulfilled in the case of any such labourer or labourers as aforesaid who shall be actually landed at this colony, then it shall be the duty of such agent-general, under his hand and seal, to address to the Governor of this colony a certificate of that fact, which certificate shall be in the form prescribed and set forth in the schedule hereunto subjoined, marked with the letter (C). Duties of agent on arrival of immigrants.

9. And

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Rate of bounty to be fixed by proclamation.

9. And whereas it is necessary to determine the rate of bounty to be payable in every such case as aforesaid; be it therefore enacted, that such bounty shall be regulated by the average length of the voyage from the port or place of embarkation to this colony; and that it shall be lawful for the Governor aforesaid, by any proclamation or proclamations to be by him from time to time issued, to determine what shall be the rate of such bounty, in respect of wages from each port or place at which such emigration agents as aforesaid for British Guiana may be stationed, and also to determine the total amount of the sums payable as bounties in respect of labourers introduced from any such port or place; and every such proclamation as aforesaid shall be inserted in the Public Gazette of this colony, and exhibited for general information at the respective offices of the said agent-general and of the said emigration agents; and every payment of bounty to be made by the said receiver-general, in pursuance of the warrant of the Governor, shall be regulated by, and correspond with, the terms of the last preceding proclamation for that purpose.

Labourers, on arrival, to be provided with sustenance.

10. And be it further enacted, that in case any such labourers as aforesaid shall not, on their arrival at this colony, be immediately provided with the means of employment and subsistence, it shall be lawful for the said agent-general to provide such persons with wholesome and sufficient food, and with convenient lodging on shore, for such time as may be deemed proper, until the means of earning their own subsistence can be procured for them; and the said agent-general shall exhibit to the Governor an account, supported by all necessary vouchers, of any such expenditure, which account being allowed by the said Governor, shall be duly discharged, under warrant to be issued by his Excellency the Governor.

Authority given to agent to examine persons on oath.

11. And be it further enacted, that in the execution of the duties hereby intrusted to him, it shall be lawful for the said emigration agent, and he is hereby authorized, to examine any person or persons, on oath or otherwise, touching any matter in question before him, and to require the attendance and examination of witnesses on any such question, and to do all such acts, matters, and things for enforcing such attendance and examination as may lawfully be done by any stipendiary magistrate in regard to the attendance and examination of witnesses on any questoin depending before him in the exercise of his lawful jurisdiction; and if any person, being examined as a witness before the said agent-general touching any of the matters aforesaid, shall wilfully and corruptly give any false evidence, such person being thereof convicted, shall be liable to all such pains and penalties as any person is now liable to on conviction for wilful and corrupt perjury.

Due preparation to be made for immigrants.

12. And be it further enacted, that the Governor shall not permit the provisions of this Ordinance to be carried into effect unless in respect of immigrants, for the reception of whom due preparation shall have been previously made according to such rules and regulations as the Governor and Court of Policy shall have established, by a public notice to be by him issued for that purpose.

Bounties payable on every labourer mentioned in the certificate of the agent-general.

13. And be it further enacted, that in respect of every labourer whose name shall be comprised in such last-mentioned certificate as being able-bodied, and as having been landed in good health in the colony, a bounty shall be payable from and out of the fund raised or to be raised as aforesaid, the amount of which bounty shall be issued to the person or persons entitled to receive the same, and shall be paid to every such person or persons by the receiver or assistant receiver-general of this colony, upon warrant for that purpose addressed to him by the Governor of the colony; and if any doubt shall arise as to what person or persons is or are entitled to such bounty, or in what proportion the same should be divided between any two or more persons, the said agent-general shall be, and he is hereby authorized, to examine into any such question in a summary way; and such agent-general shall in the body of every such certificate as aforesaid state to whom and in what proportion every such payment is to be made.

Proportion.

14. And be it further enacted, that the Governor of the colony shall not give effect to this Ordinance in so far as it encourages immigration, unless it be under such circumstances as will ensure that the proportion of immigrants annually introduced under its provision shall bear the proportion of not less than one-third females to two-thirds males of such immigrants.

And that no ignorance shall be pretended of this our Ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our adjourned Assembly, held at the Guiana Public Buildings, Georgetown, Demerara, this 1st August 1842, and published on the 4th following.

(signed) *Henry Light.*
H. E. F. Young, Secretary.

By command of the Court,

(signed) *H. E. F. Young*, Secretary.

Schedule (A.)

Comprising the Rules and Regulations to be observed in respect of Labourers introduced into this Colony, for the introduction of whom a Bounty shall be payable under this Ordinance.

1. Every such emigrant shall at the time of his or her embarkation be in a state of good bodily health.

2. Every such emigrant shall before his embarkation have communicated in person with the emigration agent at the port of embarkation, and shall have received from such agent full information as to his or her probable condition, and the means of subsistency in this colony.

3. Every such emigrant shall embark for this colony with his or her free consent, and without the practice of any force, fraud, or imposition, to induce him or her to do so.

4. No ship carrying any such emigrant shall proceed on her voyage with more persons on board than in the proportion of three for every five tons of the registered burden of such ship, the master and crew being included and forming a part of such prescribed number.

5. If any ship shall have more than one deck, the height between decks shall be five feet and a half at the least.

6. If any ship shall have only one deck, there shall be laid beneath such deck a platform, in such a manner as to afford, throughout the whole intervening space, a height of five feet and a half at the least.

7. No such ship shall have more than two such tiers of berths.

8. Any such ship having two tiers of berths, shall have an interval of six inches at least between the deck or platform and the floor of the lower tier, throughout the whole extent thereof.

9. No such ship, whatever may be her tonnage, shall carry a greater number of emigrants than at the rate of one such person for every 15 superficial feet of the lower deck or platform unoccupied by goods or stores, not being the personal baggage of such emigrants.

10. No such ship shall proceed on her voyage until there shall be on board such ship or vessel good and wholesome provisions for the use and consumption of such emigrants, over and above the victualling of the crew, to such an amount and of such a description, customary with the emigrants, as in the judgment of the emigration agent at the port of embarkation is amply sufficient for the voyage; and a supply of water to the amount of five gallons to every week for the computed voyage, for every emigrant on board such ship or vessel, such water being carried in tanks or sweet casks.

11. If any such ship or vessel shall be destined to call at any port or place in the course of her voyage for the purpose of filling up her water, a supply of water, at the rate before mentioned, for every week of the computed voyage to such port or place of calling, shall be deemed to be in compliance with the provisions of this regulation; provided that at the said place of calling a sufficient supply of water for the computed remainder of the voyage be taken in, and also that the agent at the port of embarkation shall be satisfied with the computation made of the probable duration of the voyage.

12. Every such ship, having 100 or more passengers on board, shall have rated upon the ship's company, and there shall actually proceed with the ship or vessel on her voyage, some person duly authorized by law to practise as a physician, surgeon, or apothecary; and there shall be on board a medicine chest, and a proper supply of medicines, instruments, and other medical stores suitable and adequate, in amount and kind, to the probable exigencies of the voyage, and to the satisfaction of the agent at the port of embarkation.

13. Every such ship shall at the time of sailing be seaworthy, which, if thought necessary by the agent at the port of embarkation, shall be ascertained by a survey being made by two competent persons.

14. No such emigrant shall be above the age of 45 years.

15. For the purpose and within the meaning of these regulations, in so far as they refer to the number of emigrants who may be brought in any vessel, two children, each being under the age of 14 years, but above the age of 7 years, or three children, each being under the age of 7 years, shall be computed as one person only.

Schedule (B.)

Comprising the Form and Certificate to be addressed by the Emigration Agent at the Port of Embarkation to the Agent-general for Immigration at this Colony.

I, *A. B.*, the emigration agent for British Guiana at the port of do hereby certify, on this day of had cleared out from this port, the ship , master, of the registered burden of tons, having on board the several emigrants bound to British Guiana whose names, sexes, and supposed ages are enumerated in the subjoined muster-roll; and I do further hereby certify that I have diligently inspected

Appendix, No. 3.

the said ship, her fittings, equipments, and stores, and that the same are in exact conformity with the rules and regulations prescribed for that purpose in and by a certain Ordinance of the Governor and Court of Policy of British Guiana, dated 1st day of August 1842, and intituled " An Ordinance to repeal an Ordinance passed on the 18th day of January 1841, intituled, ' An Ordinance to regulate and encourage Emigration in British Guiana, and to make Provision in lieu thereof.' " And I do further hereby certify, that I have personally communicated with each of the emigrants being of the age of 12 years and upwards, and enumerated in the said muster-roll, and am fully satisfied that the rules and regulations aforesaid have been fully observed and performed in respect of each of them.

Given under my hand and seal, at aforesaid, this day of , in the year of our Lord

To Agent-general for Immigration at British Guiana.

SCHEDULE (C.)

Comprising the Certificate to be Addressed to the Governor by the Agent-general.

I, *C. D.*, the agent-general for immigration of British Guiana, do hereby certify that I have received from *A. B.*. the emigration agent for this colony, at , the accompanying certificate, and that I have been on board of, and have inspected the ship therein mentioned, and that I have examined in person each and every emigrant who had arrived at this colony in the said ship, and that it appears to me that the rules and regulations referred to in the annexed certificate have been faithfully observed and fulfilled during the voyage, by or on behalf of and they being the persons at whose charge the emigrants aforesaid have been introduced into this colony; and I hereby further certify, that I have caused to be brought before me, all the emigrants enumerated in the muster-roll subjoined to the said annexed certificate (save only and , who are reported to me to have died during the voyage), and that such emigrants appear to me to be able-bodied labourers, and in good health; and I do further certify, that I have inquired into the cause of the death of the said , and that I find the cause of such death to be as following; that is to say,

And I do further certify, that the number of emigrants actually landed at this colony from the said ship is , and that no bounty has been previously paid in this colony for or in respect of any such emigrants, to the best of my judgment and belief. All the rules and regulations aforesaid have been observed in respect of them.

Given under my hand and seal this day of in the year of our Lord , at Georgetown, in the colony of British Guiana.

(signed) ———,

To his Excellency Agent-general for Immigration.

— No. 12. —

(No. 208.)

COPY of a DESPATCH from the Right Hon. Lord *Stanley* to Governor *Light*.

Sir, Downing-street, 24 March 1843.

I have to acknowledge the receipt of your despatch of the 6th August last, forwarding the Immigration Ordinance passed by yourself and the Court of Policy, embodying the amendments required to be made by my despatch of the 1st July.

Her Majesty's Government having decided upon taking charge of all emigration from the West Coast of Africa to the West Indies, I deferred conveying to you any decision upon this Ordinance until the Government plan should have been matured.

My circular despatch of the 25th ultimo, having placed you in possession of that plan, as well as of a model of the law to be recommended to the Court of Policy for their adoption, it is not necessary that I should convey to you any instructions upon this Ordinance.

As, however, the amendments appeared to me to have been made according to the spirit of my despatch of the 1st July, I should have been prepared to recommend Her Majesty to confirm the Ordinance, had not some further amendments been required to bring it into conformity with the Imperial Passengers' Act, which had been passed at a date subsequent to the passing of the Ordinance, though some time previous to the date at which I received it.

I have, &c.
(signed) *Stanley.*

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Appendix, No. 4.

ORDER IN COUNCIL, 3 June 1842.

AT the Court at Buckingham Palace, the 3d day of June 1842.

Present:

The Queen's Most Excellent Majesty.	Earl of Jersey.
His Royal Highness Prince Albert.	Earl of Aberdeen.
Archbishop of Canterbury.	Earl of Haddington.
Lord President.	Earl of Ripon.
Lord Privy Seal.	Sir Robert Peel, Bart.
Duke of Wellington.	Mr. Chancellor of the Exchequer.
Lord Steward.	Sir James Graham, Bart.

Whereas Her Majesty was graciously pleased to declare that, on the settlement of a civil list establishment for British Guiana, Her Majesty would be prepared to pass an Order in Council whereby Her Majesty would continue to secure to the Combined Court the privilege of a free and unreserved discussion of the annual estimates of colonial expenditure which had been enjoyed by the Combined Court since the passing of the late civil list in 1836, although not specially confirmed and ratified by his late Majesty.

And whereas by an ordinance passed in the year 1841 provision was made for a civil list establishment for a period of seven years, commencing from 1st day of January 1841, and the same has been duly confirmed by Her Majesty:

It is therefore ordered by Her Majesty, by and with the advice of Her Privy Council, that during the continuance of the said civil list ordinance, but no longer, the Court of Policy, with the financial representatives of the inhabitants of British Guiana in Combined Court assembled, shall be, as they are hereby declared to be, entitled, and shall have and possess full power and authority to discuss in detail, freely and without reserve, the several items of the annual estimate of the colonial expenditure, subject always to the terms and conditions of the said civil list ordinance.

And it is hereby further ordered, that it shall not be necessary for the Governor to attend the meetings of the Combined Court when assembled for the purpose of framing the ways and means to meet the amount of annual estimate of expenditure, but that the said court shall at such times consist of all the remaining members of the Court of Policy, with the financial representatives, or a majority of them, and that all discussions touching and concerning the framing and raising the said ways and means shall take place in such court, and not elsewhere.

And it is hereby further ordered, that all votes passed by the Combined Court for the payment of money shall be paid out under the authority of a warrant or warrants, under the hand of the Governor, and not otherwise.

And the Right Honourable Lord Stanley, one of her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *W. L. Bathurst.*

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(No. 150.)

Appendix, No. 5.

COPY of DESPATCH from Lord *Stanley* to Governor *Light.*

Sir, Downing-street, 12 October 1842.

I HAVE received your despatches, Nos. 84, 98, 104, 106, 107, and 113, of the 4th May, 31st May, 18th June, 18th June, 20th June, and 22d June, respectively, reporting the various proceedings connected with the passing of the estimates and tax ordinance for 1842 by the Combined Court.

As I have already had occasion to observe in my despatch, No. 71, of the 30th March, Her Majesty's Government are exempted, whilst the civil list arrangement shall continue to be in force, from any responsibility for the support of the services which were left by that arrangement to be provided for or not according to the pleasure of the Combined Court. The only duty which devolves upon Her Majesty's Government in respect of those services during that arrangement, is to recommend what they think right to be done, and to observe carefully the course taken by the Combined Court, and the manner in which it exercises its powers, with a view to form a just judgment when the time shall arrive for making future arrangements.

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I do not propose to discuss the details bearing upon the state of the colonial finances, which were controverted between you and the Combined Court, but I find the results to be that notwithstanding the very serious falling off in the exports, the revenue sustains itself, and will in all probability be adequate to meet every necessary expenditure.

Amongst the resolutions voted by the Combined Court I find the following :

4. " Resolved, that this Court taking into consideration the depressed state of the colony, and referring to its repeated declarations that the civil list was only granted in perfect reliance upon a scheme of extensive immigration being promoted by Her Majesty's Government, and that it would be impossible for the colony without such relief to bear the burthen of taxation imposed upon it, finds that the result justifies these declarations, and that the country is now unable to bear the burthen of the present civil list, as well as other heavy charges for religious and charitable institutions.—5. Resolved, that notwithstanding the distressed financial state of the colony, this Court, in order to keep faith as far as possible, and to show its earnest desire to maintain the dignity of the officers of Her Majesty's civil Government here, and its anxiety to avoid any act tending to embarrass the Secretary of State for the Colonies, will proceed with the estimate for 1842, but that unless a large and comprehensive measure of relief be afforded to the colony in the course of the current year by immigration or otherwise, it will be utterly out of the power of this Court, consistently with a due regard to the interests of the colony thereafter, to vote the civil list on its present scale."

The Combined Court may be assured that there is every disposition on the part of Her Majesty's Government to give all proper facilities and encouragement to immigration. But if, as I collect from the tenor of these resolutions, the Combined Court are under the impression that their vote is required by law for the maintenance of the civil list, I am bound to say that I conceive this impression to be erroneous. On the other hand, if under any circumstances the Combined Court should desire to repudiate the functions committed to them by the civil list arrangement, Her Majesty's Government will be ready to consider upon what other basis of constituent and representative authorities the financial affairs of the colony can be best administered.

The course taken by the Combined Court in dealing with the present estimates has been, it appears, to reduce largely the contribution towards ecclesiastical establishments, to abolish the salaries of the superintendents of rivers and creeks, on whom devolved the protection of the Indians, to reject the items of contribution towards the expenses of the boundary mission, and of Sir Henry Macleod's mission, which items had been applied for by Her Majesty's Government, to make reductions in both the numbers and salaries of the police establishments, to withdraw the table money hitherto allowed to the officers of the garrison, and to refuse the item which was proposed by you for rural hospitals.

Of these items, that for the protection of the Indians is one in which justice and humanity are concerned rather than the welfare of the planters themselves, and it could only be from a disinterested sense of duty that the Combined Court could be expected to provide for it. But the protection of the aborigines in the neighbourhood of British settlements is a subject which is regarded by Her Majesty's Government and by Parliament as one of great importance; and a system of colonial government which should lead to a permanent denial of any provision for this object would be considered in this country as standing in need of amendment.

The item for half the expenses of the mission for surveying and marking out the boundaries of the colony, is an item for a service not imperatively demanded by an immediate exigency, but the neglect of which might involve a large expenditure, and evils of great magnitude, at a future time. The case is, therefore, one in which a small present sacrifice is required, on grounds of prudence and foresight. The Combined Court, in their Eighth Resolution, have expressed an opinion that the service is unnecessary, and have even objected to the payments which you made towards it, out of the contingent fund placed at your disposal on the civil list. The planters of British Guiana do not, perhaps, consider their own interest and those of their offspring as permanently identified with the colony in which they are now following their fortunes; but it is for the well-being of the colonies themselves that their affairs should be conducted in a more enlarged and comprehensive spirit, with a view to their permanent interests, as component parts of the great colonial empire of Great Britain, and not with the short-sighted view of avoiding, or throwing upon the resources of the mother country, every expense which is not absolutely called for by the immediate and pressing exigencies of the day. In the present instance, Her Majesty's Government were willing to charge one moiety of the expense upon the home revenues, asking the colony for the other moiety only, although, as I have observed before, if the boundary expedition has any aspect other than colonial, it is only because, by neglecting to settle the boundaries, the mother country might, at some future period, be involved in the expense of a war, in addition to the continual expense of the ordinary protection of the colony, and the sacrifices submitted to by the consumers in this country, for the promotion and encouragement of its staple produce. But even the modified charge thus left to be provided by them has been refused.

With respect to the reduction in the contribution towards the ecclesiastical establishments, I consider that the conduct of the Combined Court in regard to these establishments has been for some years past enlightened and satisfactory, and governed by a just appreciation of the best interests of all classes of the colonists. Even if the provision originally made for those establishments had been such as it is reduced to by the present proceedings, I should not have complained of it as parsimonious; but it would have been better that the less amount should have been granted from the first than that grants should

have

have been made that are now to be withdrawn. A less degree of liberality, which is steadily maintained for the support of public services, is to be preferred to a greater degree which is inconstant. In this country, exposed as it is to great fluctuations in its finances, and with the control of a representative body bearing upon its expenditure, retrenchments are nevertheless almost invariably gradual and prospective, and so arranged as not to inflict upon individuals the hardship (I might say the injustice) of being deprived, without compensation, of means of support which the usual course of the public service might reasonably lead them to calculate upon as permanent.

The practicability of effecting reductions in the pay and in the numbers of the police force without impairing its efficiency, is a subject of which I am not competent to judge. But the Combined Court contemplates, and indeed demands, a large introduction of new labourers into the colony, and I observe it to be stated that a very large proportion of the prisoners in the gaols of the colony are immigrants.

The table-money has hitherto been granted to the officers of the garrison on the ground, I presume, of the great expense of living in British Guiana as compared with other military stations. I apprehend that this motive exists now in the same, if not in increased force.

The subject of rural hospitals is one on which different opinions may fairly be entertained; and though I think that it would have been better to make provision for them, I have no desire to give more weight to my own judgment than to that of the Combined Court upon the point. As in the case of the gaols, however, so in that of the hospitals, it is stated that a large proportion of the inmates are immigrants.

The expenses of Sir Henry Macleod's mission might have been properly charged (as the Combined Court observes) upon the contingent fund provided by the civil list, if that fund had been able to bear it. Had the fund been relieved from the quota towards the boundary expedition (which it could not be expected to bear), perhaps it might have been found sufficient. It may be proper that I should notice here the complaints of the Combined Court against various payments made by you out of that fund, as being in violation of the spirit of the 11th section of the civil list ordinance, which enacts that no part of the sum of 2,400 *l.* granted for contingencies shall be applied to the increase of any salary upon the civil list. Three of the items complained of were incurred in consequence of Mr. Young's mission to this country upon the public service. I do not perceive that the payment of his travelling expenses on that mission (which is one of the three) could be called an increase of his salary; but I think that the two other payments, which are payments of salary to the assistant Government secretary, as acting for Mr. Young in his absence, are more questionable, and I recommend to you to state to the Combined Court in reference to these payments, and also to the item for salary to Mr. Forlonge whilst acting as Puisne Judge for Mr. Norton, which rests upon the same ground, that though the sums in question were issued rather as gratuities for temporary extra services than as increase of a permanent salary, yet as that body is disposed to doubt their being in strict conformity with the spirit of the ordinance, you are ready to cause the sums to be refunded to the contingent fund, if they wish that step to be taken. Another of these items is a payment to Captain Allen, to reimburse him for the costs of his appeal against the judgment of the Supreme Court. I do not see in this any violation of the ordinance. The item for travelling expenses to Mr. Crichton on his mission to Pirara, appears to me to be unobjectionable, and the only objection I can see to the item for the boundary expedition is, that the payment being of such large amount, and yet insufficient, it ought to have been provided for by special vote of the Combined Court. Indeed in the case of the last two items the objection raised by the Combined Court is not founded upon any supposed violation of the civil list ordinance.

I have now to advert to the proceeding by which the Combined Court voted a sum of 20,000 dollars of public money as a loan to the Steam Navigation Company, a private trading company which appears to have been unable to meet its liabilities, and of which several members of the Combined Court are shareholders. The process by which this vote was originated was extremely irregular, and a mere evasion of the regulations by which the practice as to initiation of money votes is governed. Those regulations are founded upon the same principles which govern the proceedings of the House of Commons in this country. The well known tendency of every representative body to be betrayed into abusive grants of the public money, is guarded against in the House of Commons by requiring that no proposal involving a vote of money shall be entertained by The House unless made on the part of the Crown by one of its responsible advisers, or with the consent of the Crown, previously signified through the same channel. In the Crown colonies Her Majesty's Government have established it as an invariable rule, that no vote or estimate shall be proposed except on the responsibility of the local government; and as a further safeguard, they have required that the estimates shall be sent home for revision by the Secretary of State and the Lords of the Treasury before they are submitted to the local bodies by which they are to be voted. In the present instance a petition from the directors of the Steam Navigation Company, signed by their chairman, who is also a member of the Combined Court, was addressed to that court, and by that court was referred to the Court of Policy, with a recommendation that the loan of 20,000 dollars should be put on the estimates. This reference you were induced to allow the Court of Policy to receive, because you thought that the Combined Court, if not gratified in this particular, might stop the supplies. The item was put upon the estimate by the unofficial members of the Court of Policy, assisted by the single official

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vote of Mr. ————, the collector of the customs, and of course the vote was carried in the Combined Court.

The only course which Her Majesty's Government can now take to mark their sense of the irregularity committed in thus misapplying the money of the colony, is to remove from his seat in the Court of Policy Mr. ————, the only official member of that body who is implicated in the transaction. But before they finally decide on taking this step it will be proper that you should afford Mr. ———— an opportunity of vindicating his conduct.

With respect to the course adopted by you, I can easily appreciate the difficulties of the situation in which you might have been placed by a stoppage of the supplies; but I hardly think that this was a sufficient ground for departing from an essential principle in the conduct of financial business in the Court of Policy. The power of stopping the general supplies may render it impossible to carry on business with the Combined Court on the peculiar system of representative legislation which has been temporarily adopted; but if it be so, and the public money and the affairs of the colony cannot be properly administered upon this sytem, it will be necessary that Her Majesty's Government should consider whether a system cannot be established by which the interests of the colony would be better secured and permanently provided for. There can be no doubt that the possession of so much power as has been temporarily transferred to the Combined Court tends to the usurpation by that body of every other power, and also that the possession of unlimited power by a representative body resting upon so limited a constituency would be pregnant with abuse. But this is a reason rather for resisting encroachments in detail, than for yielding to them.

I have now only to observe that I do not see any sufficient ground for objecting to the taxes imposed by the Tax Ordinance of 1842. I do not agree in the views of those who contended for a larger impost upon the exported produce of the colony, and a relief in favour of the consumers of imported goods. Whatever may be thought of the ultimate prospects of the planters, there can be no question that they are at present suffering severely from the high price and the scarcity of labour, and that every possible relief ought to be given to their cultivation; and on the other hand, there can be as little doubt that the great body of the consumers are well able to pay the taxes on imports. Her Majesty is pleased therefore to allow and confirm the ordinance.

I have, &c.
(signed) *Stanley.*

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Appendix, No. 6.

MEMORANDUM written in the COLONIAL OFFICE in 1846 for the use of the SECRETARY of STATE in considering questions of LEGISLATION affecting the LABOURING CLASSES in the *West Indies.*

ON the termination of the apprenticeship in 1838, a code was framed by Mr. Stephen to regulate the rights and duties of masters and servants. This code was embodied in an Order in Council of the 7th September 1838. An Order was passed on the same day to make provision for the suppression of vagrancy; and on the 6th October following, an Order was made to prevent encroachments on lands. These Orders applied to the Crown colonies, *i. e.* British Guiana, Trinidad, St. Lucia, and Mauritius.

In the colonies having Assemblies, of course the Orders could have no effect; but they were communicated to those colonies as exhibiting the principles of legislation which the Government had adopted, and by which they would be guided so far as might fall within their province; that is, in confirming or disallowing laws which might be passed by the Assemblies, according as they might or might not be found to accord with these principles.

Under this restraint, the different Assemblies took different views as to the expediency of legislating at all upon many of the subjects embraced in the Orders. So far as they did legislate, their Acts were considered here with constant reference to the principles of the Orders; but it did not follow that they were always disallowed when not in conformity with those Orders. For in the colonies having Assemblies, the pre-existing Acts were of course beyond the control of the Government, and new Acts might easily be better than the old, or better than none, though not conformable to the Orders.

In the year 1842, the state of affairs in the West Indies was inquired into by a Committee of the House of Commons, which recommended, amongst other things, that the laws regulating the relations between employers and labourers should be revised by the local legislatures. This recommendation implied of course an opinion that the local legislatures of the Crown colonies should be permitted to revise the laws established by the Orders in Council of September and October 1838; and in compliance with this recommendation, an Order in Council was passed on the 10th June 1843, empowering those legislatures to legislate respecting

respecting the rights and duties of masters and servants, vagrancy, and encroachments on lands, the Orders of September and October notwithstanding. Appendix, No. 6.

At the same time that this Order was sent out to the Crown colonies (21st June 1843), an intimation was made to the colonies having Assemblies that the Government would not insist that their legislation, if they should be disposed to legislate further, should conform to the principles of the Orders of September and October 1838; as indeed, for the reasons already mentioned, much of it had failed to do already, without having been disallowed.

The West India body then (27th June 1843) pressed upon Lord Stanley the adoption and transmission to the Crown colonies of three model drafts of new laws on the subject of, 1st, Contracts for Service; 2d, Vagrancy; 3d, Facilities for the recovery of Rents. These models were founded upon Acts of the Legislature of Jamaica, which had been confirmed by the Crown, and had been for some time in force; viz.

1 Vict. c. 26 (Landlord and Tenant).
3 Vict. c. 18 (Vagrancy).
3 Vict. c. 65 (Administration of Justice).
4 Vict. c. 42 (Amended Vagrancy).
5 Vict. c. 43 (Contracts for Service).

These proposed models were examined by Lord Stanley, and, except on one or two points, he did not see any material objection to their general provisions. His objections had reference chiefly to the necessity of establishing appeal courts in which the local Justices should not be the majority, for hearing appeals from the decisions of magistrates under the proposed laws, such courts being duly established in Jamaica, where the proposed laws were already in force.

Lord Stanley therefore, on the 31st July 1843, sent out the model drafts in a confidential despatch to the Governors of British Guiana and Trinidad, explaining his views, and stating that he had no objection to the drafts being taken by the local legislatures as the basis of their deliberations if they should desire to pass new laws on the subjects; but that if the Governors should perceive any such objection, they were to exercise their own judgments, and not to hold themselves bound by the merely provisional sanction given by Lord Stanley to these drafts as fit matter for consideration.

The result has been, that two Ordinances have been enacted in Trinidad, one (No. 6 of 1845, 29th January) "for regulating the relative Rights and Duties of Masters and Servants," the other (No. 3 of 1845, 22d January) "for establishing a Court of Appeal in cases of Offences punishable on Summary Conviction."

Trinidad.

These Ordinances, as first sent over, were open to serious objections. The Contract Ordinance abrogated the provision by which, in the Order of 7th September 1838, all contracts for service were invalid unless made within the limits and on the land of the colony. The Appeal Ordinance required from appellants such securities for prosecuting the appeals, that the poor could scarcely have profited by them. The Ordinances were sent back for amendment on these points. The Appeal Ordinance was amended, and has been confirmed and allowed. The Contract Ordinance was amended so as to require, in order to the validity of contracts, that they should be made within the limits of the colony; but there was still wanting the provision, that they should be made, not only within the limits, but "on the land" of the colony. This provision had been inserted in the Order in Council of 7th September 1838, in order that immigrants might not be surprised into contracts on board ship in the port, before the stipendiary magistrates should have had an opportunity of advising them. The provision had been retained in the Model Draft of the West India Body. A despatch was therefore written to the Governor of Trinidad, pointing out this omission (on the 7th November 1845); but in that despatch it was erroneously stated that the Ordinance differed in this particular from the Jamaica Act. This error having been discovered, a private letter was written to Sir Henry Macleod on the 1st December 1845, withdrawing the despatch, and instructing him to await further orders as to any amendments which might be required in the Ordinance. No further orders have yet been sent.

British Guiana.

In British Guiana no Ordinances have yet been enacted in modification of the Orders in Council. The Governor, on the 2d October 1845, reports that the recommendation of the House of Commons' Committee, the issue of the Order of 10th June 1843 consequent on it, and the transmission of the model drafts (which, though confidential, had become known in the colony) had produced a continued pressure on him for modifications of the Orders of 1838, and that he had been reluctantly brought to the conviction that he must allow modifying Ordinances to be brought forward. He says, "In reluctantly making this exchange, I am bound to confess that in my judgment the Orders in Council above mentioned have fully answered every purpose for which they were framed; that in the arrangement of the chapters into distinct branches of the subject, in perspicuity of language, in comprehensive brevity of definition and enumeration of offences, they form the most simple, perfect, and easily understood manual of legislation on the particular subject to which they relate, that was ever composed for the guidance of masters and servants in this part of the world." He then proceeds to describe the changes which, being thus forced upon him, he is about to propose to the Court of Policy: 1st, an Ordinance embodying the models sent out to him respecting masters and servants and tenancy; 2d, the Model Vagrancy Ordinance, if the Court

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of Policy desire it, as being very similar to the Order in Council of 1838; 3d, the extension to the unpaid justices of the same jurisdiction as the paid, both when acting singly and when associated in the inferior criminal courts which are holden monthly in every parish—their judgments, when acting singly, to be subject to an appeal to any one of the three judges of the Supreme Court at its quarterly criminal sessions; their judgments as members of the inferior criminal courts not to be subject to any appeal, and to extend to three months' imprisonment with hard labour, and a fine of 20*l.*, and a whipping of 39 lashes. The inferior criminal courts are presided over by the sheriffs.

These intentions of Governor Light, thus announced on the 2d October 1845, do not seem to have been yet carried into effect, as nothing has been heard of them since. An Ordinance, No. 19 of 1845,* has indeed been passed to give to any rural justices whom the Governor may appoint to exercise it, an additional authority to punish certain minor offences; but this seems to have no direct bearing upon the relations between masters and servants. It is a mere matter of police law.

Such having been the origin, course, and extent *hûc usque*, of the legislation on these subjects, it may be desirable in the next place to consider what points are yet pending, and what may be considered as already disposed of.

The Government not having been changed, Mr. Gladstone may probably wish to abide by Lord Stanley's decisions, unless for some cogent cause to the contrary.

Trinidad.

And though the Trinidad Contract Ordinance has not been actually confirmed, yet I think the course of the correspondence upon it may be considered to have committed Lord Stanley to confirm it, provided the words, "on the land," should be inserted. I conceive that the Legislative Council can find no fault with those words, though it does turn out that they are not in the Jamaica Act; and therefore the pending question, as far as the Trinidad Contract law is concerned, may be considered as not very material. The Appeal Ordinance for Trinidad is no longer a pending question, as it has been finally allowed and confirmed. It grants an appeal to a judge of the Supreme Court from all summary convictions, and one or other of the judges is to hear appeals twice in a month at Port of Spain, and once in a quarter in the country districts. The appellant is merely to enter into his own recognizances to prosecute the appeal.

British Guiana.

Now all this having been decided in the case of Trinidad, it seems to follow that so soon as the same questions shall be raised upon Ordinances enacted in British Guiana, the same decisions must be adopted; for the relaxations which have been granted to the one colony can scarcely be refused to the other. To this extent, therefore, the questions may be considered as no longer undecided even as regards British Guiana; but it remains to be seen whether the Ordinances expected from that colony will be identical with those of Trinidad. The Governor intends to adopt the Jamaica model, which was the one adopted in Trinidad, and it is probable, therefore, that the Ordinances will be very similar on most points. But on the questions connected with the administration of justice, it seems likely that there will be a different course of proceeding. The Governor proposes to give to all the local justices a jurisdiction identical with that of the stipendiary justices. Whereas there is this difference in Trinidad,—that one stipendiary justice can act under the Ordinances, whilst two local justices are required for the same purposes. There is a difference also in the intended facility of appeal; for the Governor of British Guiana only contemplates a quarterly court of appeal to be held by one of the Judges of the Supreme Court at George Town to hear appeals from Demerara and Essequibo, and a half-yearly Court of Appeal at New Amsterdam to hear appeals from Berbice. Whether these would be sufficient may, I think, be regarded as a pending question.

But the questions as to British Guiana can hardly be considered as fully before the Government at present, since the Governor has only expressed incidentally, in a despatch on the question of keeping up the stipendiary magistrates, the intentions which he entertained, and what shape his measures may assume in the Court of Policy cannot be very confidently foreseen.

I proceed now to state the opinions which I have been led to form upon the modifications made, or contemplated and permitted to be made, in the Orders in Council of 1838.

The testimony to the all-sufficiency of those orders which I have quoted above, from Governor Light's despatch of the 2d October 1845, is one against which I should not be disposed to set up any judgment that can be formed by any person in this country, or indeed elsewhere; for Governor Light is a man of great abilities, and extraordinary activity and vigilance; and I have no doubt that he has watched the working of the Orders more closely, and understands it better than any other person whose opinion has been expressed upon them. I think, therefore, that it would have been better if the Committee of the House of Commons had left the Orders to their undisturbed operation.

But

* Sent home in Governor's despatch, No. 227, of 17th October 1845, and confirmed by Lord Stanley's, of 27th November 1845.

But at the same time I feel rather a diffidence as to which way the balance may lie, than any assurance that upon the whole the alterations will be hurtful.

It may be desirable, in the first place, to state more distinctly than I have yet done, what the chief alterations are. Omitting minute distinctions, they may be stated as follows:

I. *As to Contracts for Service.*

The Orders in Council of 7th September 1838 made it essential to the validity of a contract that it should have been entered into within the limits and on the land of the colony. The Trinidad Ordinance admits its validity if made within the limits of the colony, or in Europe, in the United States, in British North America, or in the West Indies. The Order in Council enacted, that a contract for more than four weeks must be in writing, and attested by a stipendiary magistrate. The Ordinance requires no attestation, and dispenses with the writing in all contracts, except in cases in which the service under the contract has not been entered upon; that is, the penalty for breach of the contract cannot be enforced unless there be either a written contract or a service commenced under a verbal one. The Ordinance also enacts, that when service by the day or task is entered upon, the contract shall be understood, in the absence of express agreement to the contrary, to be for one day certain, and so on from day to day, and be terminable only after 24 hours' notice *. The Order inflicts penalties for improper or negligent performance of work; the Ordinance in more general terms, for "wilful misconduct, or ill behaviour in the service."

II. *As to Administration of Justice.*

The Orders in Council reserved to the stipendiary justice all offences between master and servant. The Trinidad Ordinances enable any two local justices to exercise jointly the same jurisdiction, establishing, however, a right of appeal to a judge of the Supreme Court, who is to sit once a fortnight in Port of Spain, and once a quarter in the districts. The measures contemplated in British Guiana would give the same jurisdiction to an unpaid as to a paid justice, and only a quarterly appeal, and in Berbice only a half-yearly appeal.

III. *In regard to Vagrancy.*

The model draft prepared by the West India body, and provisionally sanctioned by Lord Stanley as a basis for deliberation, contains some variations from the Order in Council, but the Trinidad authorities have shown no disposition to adopt them, and Governor Light considers them so insignificant that the Court of Policy is not likely to touch the subject, and that it is no great matter whether they are adopted or not.

I am not aware of any other material variations from the Orders in Council, either made or at present contemplated, unless it be in Mr. Gladstone's contemplation to adopt those new ones proposed by the West India body in their communication of the 5th December last (which is to be further explained by another communication not yet received).†

Now, as to the first of these heads of variation, viz., Contracts for Service, the opinion I incline to is, that most of the alterations are either justifiable or not likely to affect the great body of the labourers.

1. I think the Ordinance is justified in imparting validity to contracts made by the natives of this and other civilized countries in Europe and America for service in Trinidad or British Guiana. The Orders in Council were meant for the protection of natives of Africa and India, and of other countries, whose ignorance or barbarism might expose them to injury from being entrapped into unjust contracts.

2. But I see no good reason for the abrogation of that clause of the Order in Council which required that a contract for more than four weeks should be in writing, and should be attested by a stipendiary magistrate. Practically, I believe the change will not affect the great body of the labourers, because contracts for more than four weeks are seldom or ever made; the almost invariable custom of the labourers is to work by the day or task; but immigrants may possibly be surprised into disadvantageous contracts before they know what they are about; and verbal contracts may be alleged against them on insufficient grounds, and injustice may be suffered, and disputes arise.

3. I think that the alteration which requires day labourers to give 24 hours' notice of quitting their work (unless for reasonable cause) is justifiable and proper. An unsteady and capricious lightness is the prevailing infirmity of the negro character, and I believe that it will

* The Ordinance follows the Order in prohibiting any contracts, written or unwritten, for a longer period than 12 months.

† They have announced, since this was written, that they do not mean to send any further explanations, and would wish their letter of 5th December to be acted on.

17 February 1846. (signed) *H. T.*

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will be for their advantage, as well as that of their masters, that they should be compelled to a moderate amount of perseverance in any work in which they are engaged. As the law stood before, it would sometimes happen that a boiler-man, or some artizan whose place could not be supplied at the moment, would suddenly disappear at a critical period, and a whole gang (whose wages must be paid) be rendered useless for the day. The negroes, like children, require a discipline which shall enforce upon them steadiness in their own conduct, and consideration for the interests of others; and I think the Anti-slavery Society is mistaken in desiring to withdraw them from such discipline.

4. I think "ill behaviour" is too large a word for a penal enactment. But there is one consideration, which in my mind has a most important bearing on all these questions; which is, that the planters are essentially and inevitably dependent on the negroes for the means of carrying on their cultivation, and that they cannot afford to make themselves obnoxious to them. Still I think that the Governor should be instructed to watch the operation of the new provisions of law, and especially the operation on immigrants of that provision which makes unwritten and unattested contracts binding for any period short of 12 months.

On the second head of variation, viz. the administration of justice, I think that the interest of the planter which I have mentioned as bearing upon the alterations of the contract laws, is equally important as affecting the question whether the local justices should be entrusted with the additional jurisdiction now given to them. Planting justices will not readily exercise their powers with an odious and unpopular harshness. I believe that in point of fact, as Governor Light has stated, they are far too busy with their own concerns to trouble themselves with more justice business than they can help, and that as long as there are paid magistrates, the jurisdiction will devolve practically upon them. But I believe further, that if they *were* to act, it would be in a very different spirit from that which would have animated them a few years ago. We are not to suppose that the great improvement which has taken place in West Indian society has not extended to the higher as well as to the lower classes. Churches, schools, penitentiaries, hospitals, are rising on every side to contradict such a supposition; nor would it be a reasonable supposition to entertain *à priori*. And in proportion as we put trust in this better spirit and employ it, it will be called out and cultivated; and I know not that it can be better or more guardedly employed, in the existing circumstances of the West Indies, than in the exercise of magisterial authority, subject to appeal.

The facilities of appeal provided in Trinidad are probably sufficient, considering the litigious character of the negro, though they could only be by quarterly courts for those appeals which could not be brought to Port of Spain. The facilities contemplated in British Guiana would hardly, I think, suffice. They would be only quarterly in George Town, and half-yearly in New Amsterdam. The Attorney-general alleges 192 sessions of inferior criminal courts in the course of the year as ground for dispensing with additional courts of appeal; but as these inferior criminal courts are not courts of appeal, and are composed of local justices, though presided over by a sheriff, they seem to be beside the purpose.

But as the Orders in Council have not yet been modified in British Guiana, this will be a question to be considered when the enactments come over.

There is one complaint of the recent legislation of the West Indian legislatures made by the Anti-slavery Society, but not connected with the Orders in Council, which it may be proper to notice. They complain that the burden of the public taxes has been a good deal shifted from the planters to the labouring classes. I believe that this is true, but I do not think that it is unwarrantable. I think that the Act of Emancipation, whilst it in some degree depressed the fortunes of the planters, placed the negroes within the danger of a larger access of sudden prosperity than human nature can well bear. Under such circumstances, I think that the principles of taxation might well be made subject to other principles, and the inquiry be admitted whether the negroes would be the worse for being taxed. My own belief is, that they had, and still have, too much money and too much time to spare, and that both are often more idly and ill spent than they would be if reduced in amount. And to show the totally different state of things in the West Indies from any that we are acquainted with, I may mention a report, made by a stipendiary magistrate two or three years ago, in which it was stated that the negroes in his district considered the visit of the tax-gatherer as a flattering distinction, and that they were proud and glad to be taxed.

And after all, I am not aware of any other taxation to their disadvantage than some additions to import duties, which fall upon all classes, for the relief of export duties on produce, which fall exclusively on the planter.

Colonial Office, 15 February 1846. (signed) *H. T.*

Appendix, No. 7.

(No. 17.)

COPY of a DESPATCH from *W. E. Gladstone*, Esq. to Governor *Light*. Appendix, No. 7

Sir, Downing-street, 16 February 1846.

I HAVE received your despatch, No. 2, of the 2d January 1846, transmitting a letter from Mr. Carbery, a stipendiary justice, in which he explains the circumstances which have involved him in pecuniary difficulties, and deprecates the deprivation of office, which, in any ordinary case of the kind, would follow upon his being compelled to take the benefit of the Insolvent Act.

I presume that had you been aware of Mr. Carbery's insolvency when you recommended him for the office of a stipendiary magistrate, you would not have thought yourself justified in withholding the knowledge of so material a fact from Lord Stanley. And if you were not aware of it, Mr. Carbery must be held responsible for having concealed it from you.

On the assumption, therefore, that you were not aware of it, I am under the necessity of directing you to remove Mr. Carbery from his office; but I am fully sensible of the loss which the service will sustain by this measure, and if, after Mr. Carbery shall have passed through the Insolvent Court, you shall be enabled to report that the proceedings before that court have not brought to light anything affecting Mr. Carbery's character for integrity and honour, I shall be prepared, upon receiving that report, to consent to Mr. Carbery's being again employed under the Crown.

I have, &c.
(signed) *W. E. Gladstone.*

EXTRACT of Mr. *Gladstone*'s DESPATCH, No. 59, 13 May 1846.

"I REGRET the loss which the public service has sustained by the removal of Mr. Carbery from his office of stipendiary magistrate, under the directions contained in my despatch, No. 17, of 16th February, but I confidently trust that the proceedings taken against Mr. Carbery by his creditors will not disclose any such circumstances affecting him as would incapacitate him from future employment."

Mem.—Mr. Carbery (having passed through the Insolvent Court honourably) was appointed to act as stipendiary magistrate, and the temporary appointment approved by Earl Grey. Governor Light, 17 May 1847. Earl Grey, 26 June.

Appendix, No. 8.

COPY or EXTRACTS of Lord *Grey*'s DESPATCH appointing Mr. *Holmes* to the Office of Provost-marshal of *British Guiana*. Appendix, No. 8.

Colonial Office, Downing-street, 23 April 1849. B. HAWES.

COPY of a DESPATCH from Earl *Grey* to Governor *Light*.

(No. 151.)

Sir, Downing-street, 14 April 1847.

WITH reference to my despatch, No. 143, of the 31st ultimo, I transmit to you the enclosed copy of a letter which I have received from Captain Hammill, tendering the resignation of his office of provost-marshal of British Guiana. 7 April 1847.

I have signified to Captain Hammill my acceptance of this resignation, with an expression of my concern that it should have been made under circumstances of so painful a kind as those which are mentioned in this letter.

 I am

Appendix, No. 8.

I am desirous to leave the appointment of Captain Hammill's successor in your hands; but I would observe that Mr. Holmes, who has been acting, as I am informed, as your private secretary, has been very strongly recommended to me for employment, and it would be satisfactory to me to learn that he had been selected by you for the appointment.

I have, &c.
(signed) *Grey.*

16 April.

P.S.—Since writing this despatch I have received from Captain Hammill a letter, of which I transmit to you a copy, in which he recommends for the appointment of provost-marshal Mr. S. B. Liot Backer, who has served for many years in the marshal's office.

13 April 1847.

Copy of a LETTER from *T. C. Hammill*, Esq. to *B. Hawes*, Esq.

5, Brunswick Terrace, Windsor,
7 April 1847.

Sir,

Under the pressure of severe domestic affliction and consequent ill health, I sit down to acknowledge the receipt of your letter of the 31st ultimo, by desire of Earl Grey, and have the honour to reply as follows:

1st. I thank his Lordship very sincerely for his kindness in communicating a copy of my letter of the 22d ultimo to the Governor of British Guiana, to be laid before the Court of Policy, for their re-consideration, although I have little or no hope of any beneficial result therefrom, as the votes of three or four colonial members of that body can at any time reduce the emoluments of the marshal's office to nothing, if it so pleases them, that office having long since been subjected to their regulation and control, and being by no means a popular office, from the very nature of it.

With respect to the second paragraph of your letter, wherein I am informed that an examination has lately been instituted into the accounts of the late acting provost-marshal, Mr. Wight, which has resulted in the discovery apparently of serious irregularities on the part of that officer, I have to state that, before I left the colony, Mr. Wight was required to find good and sufficient security, according to law, for the faithful performance of his duties of acting provost-marshal during my absence, and that if there be any irregularity or deficiency, he and his securities must make the same good, I having given him over the office in proper order, and he having assumed all the responsibilities of the office before my departure.

With respect to the third paragraph of your letter, wherein his Lordship is desirous of being explicitly informed under what authority I have continued to absent myself from the duties of my office since the expiration of my leave in June last, I have nothing further to urge on this head than to beg reference to my letter to Mr. Secretary Gladstone of the of March 1846, and to a subsequent one to Earl Grey himself, of the 12th September last, proposing to retire altogether from the office of provost-marshal of British Guiana, in consequence of the reduction of my emoluments to one-half of what they formerly were, and that, pending this proposition to retire, (and it is still pending,) I did not deem it necessary to trouble his Lordship with any more applications for leave. If I have erred in this I beg to express my very great regret; as nothing was further from my thoughts than to do anything wrong. I had flattered myself with the hope that when a fair trial had demonstrated to the Court of Policy the utter inadequacy of the remuneration allowed me under the new tariff for the duties and heavy responsibilities of my office, some consideration would have been shown for existing interests, or some equitable compensation granted me before this.

With respect to the last paragraph of your letter, inquiring whether I propose to return to British Guiana, and when? I beg to say, that under all the circumstances I have stated, combined with my age and ill health, it is not my intention to return to that colony again; and to save all further correspondence and trouble on my account, I herewith beg, in the most respectful manner, to tender my resignation of the office of provost-marshal of British Guiana, an office of a most harassing and disagreeable nature at all times, but latterly rendered intolerable to me from the causes I have but feebly detailed.

I have, &c.
(signed) *T. C. Hammill.*

In thus retiring from the public service I deem it but justice to myself to refer for my conduct generally, as a public officer in British Guiana, to the despatches of Governor Light's two immediate predecessors in that government, Sir B. D'Urban and the late lamented Governor Sir Carmichael Smyth, with both of whom I served as under secretary for many years. These despatches are in the Colonial Office, and are dated in 1833 and 1835 respectively; and when I reflect that the colony of British Guiana grant pensions at this moment to two gentlemen (Mr. Sullivan and my predecessor, Mr. Farr) who have never been in that colony in their lives, I certainly cannot congratulate myself on my good fortune after a personal service there of 26 years.

Appendix, No. 8.

COPY of a LETTER from *T. C. Hammill*, Esq. to *B. Hawes*, Esq.

Sir, 5, Brunswick Terrace, Windsor, 13 April 1847.

WITH reference to my letter to you of the 7th inst., tendering to Earl Grey the resignation of the office of provost-marshal of British Guiana, in consequence of ill health and other causes, I have now the honour to state that S. B. Liot Backer, the officer next in rank to Mr. Wight in the marshal's office of that colony, having just arrived in this country from North America (where he has been for a few months on leave from Governor Light), and having this day called upon me here, I think I am bound in common justice to this officer to state that he has served in the marshal's office of Demerara and Essequebo for 27 years, and for the last 10 under my own immediate eye and direction, and that I not only found him diligent and attentive at all times, but I may add that I consider him one of the most efficient officers in the department, from his thorough knowledge of its duties and the local laws of that province.

I therefore consider it a duty on my part humbly to recommend this officer to the favourable consideration of the Right Honourable the Secretary of State for the Colonies, should an opportunity occur of forwarding his interests in an office in which he has served the greater part of his life.

I trust I shall be excused the liberty I have taken on this occasion.

I have, &c.
(signed) *T. C. Hammill*,
Late Provost-Marshal of British Guiana.

Appendix, No. 9.

Appendix, No. 9.

RETURN of the AMOUNT spent on IMMIGRATION in each Year since 1837, to the present Time (16 September 1848), in the Colony of *British Guiana*.

	Dollars.	£. *s.* *d.*
1837	nil	nil.
1838	nil	nil.
1839	nil	nil.
1840	nil	nil.
1841	263,317 85	54,857 17 8½
1842	102,262 96	21,304 15 8
1843	114,982 75	23,954 14 9
1844	10,615 50	2,211 11 3
1845	156,994 43	32,707 3 5
1846	370,870 59	77,264 16 2
1847	417,461 96	86,971 4 10
1848	23,088 65	4,810 2 8
Ditto in Bills drawn on the Honourable the Colonial Land and Emigration Commissioners	271,695 50	56,603 4 7½
TOTAL $	1,731,290 19	£. 360,685 11 1

(signed) *M. J. Retemeyer*,
Colonial Receiver-General.

Colonial Receiver-General's Office, Demerara,
16 September 1848.

Appendix, No. 10.

Appendix, No 10.

LIST of SALARIES above 100 *l.* per Annum, paid to Government Officers in the Colony of *British Guiana*.

Mem.—Transcribed from the British Guiana Blue Book for 1847.

OFFICE.	NAME.	Annual Salary in British or Army Sterling. £. s. d.
Governor	Henry Light	5,000 – –
Private Secretary	W. H. Holmes	300 – –
Government Secretary, and Secretary to the Court of Policy	William Walker	1,500 – –
Assistant Government Secretary	W. B. Wolseley	600 – –
Clerk	John Trench	235 – –
Clerk	N. H. Avan Cooten	150 – –
Assistant in Berbice	L. de Nieuwerkerk	150 – –
Chief Justice	J. H. Bent	2,500 – –
First Puisne Judge	John Downie	1,500 – –
Second Puisne Judge	Samuel Firebrace	1,500 – –
Secretary to the Chief Justice	Ellis H. Bent	630 – –
Attorney-general	W. Arrindell	1,100 – –
Solicitor-general	R. R. Craig	300 – –
Registrar, Counties Demerara and Essequebo:		
Registrar	Charles Wilday	1,200 – –
Sworn Clerk and Notary	J. H. Forster	631 18 10
Ditto	C. G. Wilday	534 14 5½
Ditto	H. J. Martinuis	437 10 –
Ditto	J. J. Schrack	388 17 11½
Ditto	P. N. Norton	340 5 7
Accountant	M. Griffith	305 11 1½
Copyist	M. S. Johnston	243 1 1½
Ditto	J. E. Dempster	125 – –
Bookbinder	C. Wilson	114 11 8
Clerk of the Supreme Court of Criminal Justice, Demerara and Essequebo	W. H. Campbell	312 10 –
Registrar, County of Berbice:		
Registrar	Stephen Bourne	708 6 8 (Fees of Office.)
First Sworn Clerk and Notary Public	Hugh Houston	347 5 10
Second Sworn Clerk and Notary Public	Thomas Bourne	208 6 8
Provost Marshal:		No Fixed Salary. Fees as per Blue Book for 1847,
*{Provost Marshal	W. H. Holmes	214 – 6
*{Ordinary Marshal	R. S. Turton	107 – 4
Berbice:		
Ordinary Marshal	W. W. Bennett	200 – – (Fees of Office.)
High Sheriff	George Bagot	1,250 – –
Clerk to High Sheriff	W. H. Keintzen	300 – –
Sheriff of Berbice	C. R. Whinfield	900 – –
Clerk to Sheriff of Berbice	H. W. Hardy	150 – –
Sheriff of Essequebo	M. L. Fowler	700 – –
Clerk to Sheriff of Essequebo	W. Hunter	150 – –
Ten Stipendiary Magistrates at	– – – – –	550 each.
Four ditto ditto	– – – – –	300 each.

* *Note.*—This Return embraces the period from 3d November to 31st December 1847, Ordinance No. 29, of 1847, to repeal former Ordinances, and to regulate the office of the Provost Marshal, having come into operation on the former of those dates. The Return which embraces the preceding period will be found at page 68.

Appendix, No. 10.

OFFICE.	NAME.	Annual Salary in British or Army Sterling.
		£. s. d.
Police Department:		
Inspector-general	Ivan Waterschordt	729 3 4
Clerk to ditto	J. H. Otterbein	250 – –
Inspector, Demerara	T. Horne	240 – –
Inspector, Berbice	J. W. Thompson	388 19 2
Inspector, Essequebo	J. Stanley	388 19 2
Book-keeper	H. M'Tavish	208 6 7
Gaol Department:		
Keeper	John Frost	312 10 –
Clerk	Edward Deane	138 19 2
1st Turnkey	George Killer	116 13 4
Keeper, New Amsterdam	Henry Van Cooten	257 2 10
Turnkey, New Amsterdam	John Leman	125 – –
Keeper, Mahaica	James Ford	166 13 4
Keeper, Wakenaam	L. Jackson	166 13 4
Keeper, Caponey	H. D. Fileen	166 13 4
Penal Settlement Establishment:		
Superintendent	William Crichton	833 6 4
Assistant Superintendent	M. R. Enbleton	187 10 –
Resident Surgeon	Geo. Fergusson	312 10 –
Chief Constable	R. Massiah	125 – –
Colonial Treasury:		
Receiver-general	M. J. Retemeyer	2,152 14 4
Assistant Receiver-general	T. B. Winter	694 7 6
Financial Acountant	G. G. Lowenfeld	861 – 10
Town Council Department:		
Police Magistrate	Wm. M'Nulty	694 8 10½
Clerk to Police Magistrate	Mark Dyett	291 13 4
Receiver of Town Taxes	H. J. Bland	500 – –
Secretary to Town Council	H. A. Pollard	388 17 9½
Town Superintendent	P. Young	479 3 4
Clerk of the Market	J. F. Padmore	388 17 9½
Overseer Lam. Canal	J. J. Knight	114 11 8
Medical Department:		
Colonial Surgeon-general	Daniel Blair	833 6 8
1st Resident Surgeon, Colony Hospital	James S. Fowler	347 4 8
2d Resident Surgeon, Colony Hospital	James S. Hackett	208 6 8
Dispenser, Colony Hospital	Conrad C. Hessner	173 12 2
Steward, Colony Hospital	Henry King	208 6 8
Surgeon to the Gaol and Police Force in in Georgetown	J. R. F. Hutson	314 15 11
Surgeon Mahaica Gaol	J. M'Creath	104 3 4
Surgeon Capoey Gaol	James Fraser	110 – –
Surgeon Penal Settlement	George Fergusson	312 10 –
Surgeon to Lazaretto	George Fergusson	25 – –
Secretary to the Board of Management of the Colonial and Seamen's Hospitals	Mr. E. Pierce	291 13 4
Administrator-general, counties Demerara and Essequebo	John Kennedy	Fees as per Blue Book, for 1847, 2,952 10 5
Administrator-general, County of Berbice	Lewis Houston	Fees as per Blue Book, for 1847, 1,209 3 8
Harbour-master, Demerara	H. C. Southey	Fees as per Blue Book, for 1847, 901 9 4
Harbour-master, Berbice	John Daly	Fees as per Blue Book, for 1847, 192 15 –
Immigration Agent-general	Wm. Humphrys	500 – –
Immigration Agent, Berbice	J. P. Van Rossum	150 – –

(*continued*)

Appendix, No. 10.

OFFICE.	NAME.	Annual Salary in British or Army Sterling. £. s. d.
Pilotage:		
Master Pilot	Andrew Wight	972 4 –
1st Class Chief Assistant	Joseph Morgan	220 – –
Ditto	T. Scholes	150 16 9
Ditto	D. Devonish	206 5 –
Ditto	Sam. Magill	174 3 4
1st Class Assistant	John Jones	146 13 4
Ditto	John Bentum	114 11 9
Master, Light Vessel	James Ollard	247 2 –
Secretary and Treasurer	W. E. Pierie	416 13 4
Superintendents, Rivers and Creeks:		
Demerara River	T. Fennell	416 13 4
Mahaica, &c. River	R. Hancock	375 – –
Essequebo River	A. F. Baird	375 – –
Pomeroon River	W. C. McClintock	250 – –
Berbice River	R. King	416 13 4
Courantyn River	N. I. De Wolf	250 – –
Commissioners of Taxation:		
Demerara district, No. 1	G. M. Forrester	333 6 8
Demerara district, No. 2	Abm. Garnett	312 10 –
Demerara district, No. 3	D. Tatant	312 10 –
Essequebo district, No. 1	W. F. Jeffrey	312 10 –
Essequebo district, No. 2	A. G. Gainfort	333 6 8
Berbice district, No. 1	R. Samuel	270 16 8
Berbice district, No. 2	T. Coleman	250 – –
Berbice district, No. 3	C. Brotherson	229 3 4
Collector of Rum Duties for the counties of Demerara and Essequebo	James Hackett	Fees as per Blue Book, for 1847, 1,008 6 8
Collector of Rum Duties for the county Berbice	W. Van Rossum	Fees as per Blue Book, for 1847, 179 16 6
Weigh Master and Sworn Gauger	W. P. Carter	Fees as per Blue Book, for 1847, 1,200 – –
Colonial Sexton, Georgetown	P. P. Massiah	Fees as per Blue Book, for 1847, 1,567 3 9
Colonial Sexton, Berbice	John Adams	Fees as per Blue Book, for 1847, 145 11 8
Crown Surveyor	Joseph Hadfield	150 – – Fees, 185 *l.*
Commissary of Population	Ditto	400 – –
Deputy Postmaster-general	E. T. E. Dalton	220 – –
Customs:		
Collector	C. Robinson	1,500 – –
As Collector at Demerara	Ditto	500 – –
Landing Surveyor	B. L. Bamber	500 – –
Waiter and Searcher	C. Bagot	300 – –
Ditto	T. Simpson	250 – –
Ditto	J. Stewart	200 – –
1st Clerk and Warehouse Keeper	W. Handley	300 – –
2d Clerk	R. Douglas	250 – –
3d Clerk	A. Thompson	200 – –
Berbice:		
Sub-collector	D. J. Ronague	500 – –
Landing Surveyor	R. B. Ritchie	300 – –
Waiter and Searcher	P. Poole	250 – –
Clerk	H. G. Pringle	200 – –

Appendix, No. 10.

OFFICE.	NAME.	Annual Salary in British or Army Sterling. £. s. d.
Colonial Aid Waiters:		
Superintendent (in-door) - - -	W. Handley - - -	208 6 8
Acting Supervisor (out-door) - - -	C. Bagot - - -	458 6 8
Miscellaneous:		
Treasurer and Secretary, Board Church and Poor Fund - - - - - -	A. A. Burrowes - -	300 – –
Visiting Physician to the General Asylum and County Hospital, Berbice - -	J. B. Beresford - -	350 – –
Resident Surgeon - ditto - ditto -	J. Bankhead - - -	250 – –
Surgeon to Gaol and Police, New Amsterdam - - - - - - -	A. R. Hollingsworth -	173 15 –
Keeper of the Colony-house in Berbice -	Mrs. Macdonald - -	138 19 2
Clerk of the Market, Berbice - -	R. A. Harris - - -	116 13 4
Usher to Court of Policy - - -	W. M'Callum - -	150 – –
Warden of the Public Buildings - -	M. Sulton - - -	166 13 4
Agricultural Chemist - - - -	J. Shier, LL.D. - -	1,000 – –
Assistant to ditto - - - - -	David Shier, M.D. - -	200 – –
Resident Superintendent of Lazaretto -	M. Eytells - - -	208 6 8
Diocese of Guiana, County of Demerara:		
The Bishop - - - - - - -	W. Piercy Austin, D.D. -	2,000 – –
Archdeacon - - - - -	James Lugar, M.A. -	500 – –
Rector of St. George - - -	Idem - - - -	569 4 10
Rector of St. Paul - - - -	A. J. Clinckett - -	416 13 4
Rector of St. Swithin - - -	J. J. Allison, B.A. - -	416 13 4
Rector of St. Matthew - - -	W. Gill, B.A. - -	416 13 4
Minister of Christ Church - - -	W. Fox, B.A. - -	200 – –
Assistant Curate, St. George - -	G. M. Brough, LL.D. -	300 – –
Ditto - - - St. Philip's Chapel -	R. L. Webber - -	200 – –
Ditto - - - the Lodge Chapel -	A. J. Borlindor - -	200 – –
Ditto - - - St. Paul - - -	J. F. Bourne - - -	350 – –
Ditto - - - ditto - - - -	O. J. Strakeer - -	200 – –
Curate, St. Luke's - - - -	J. H. Best - - -	300 – –
Diocese of Guiana, County of Essequebo:		
The Rural Dean - - - - - -	William Austin - -	—
Rector of St. John - - - - -	Idem - - - - -	416 13 4
Rector of Holy Trinity - - - -	Charles Haskins, M.A. -	416 13 4
Rector of St. Peter - - - -	W. Hamilton, M.A. -	416 13 4
Assistant Curate, St. John - - -	H. Hunter - - -	350 – –
Assistant Curate, Holy Trinity - -	W. T. Smithett - -	350 – –
Officiating Minister, St. James - -	A. H. Bishop - - -	350 – –
Missionary at Pomeroon - - -	W. H. Brett - - -	250 – –
Diocese Guiana, County Berbice:		
The Archdeacon - - - - - -	J. Fothergill, M.A. - -	200 – –
Rector, St. Patrick - - - - -	Idem - - - - -	416 13 4
Rector, All Saints - - - - -	W. D. Sealey, B.A. -	486 2 5
Rector, St. Michael - - - - -	W. Cornwall, M.A. - -	416 13 4
Assistant Curate, All Saints - - -	H, Holland, B.A. - -	350 – –
Officiating Minister, St. Saviour - -	M. B. Johnson - -	194 7 6
Officiating Minister, St. Clement - -	B. Spooner - - -	394 8 10
Church of Scotland:		
Minister, St. Andrew - - - -	J. Struthers, D.D. - -	926 9 10
Assistant to the Minister - - -	A. Reach - - -	300 –
Minister, St. Mary - - - - -	A. A. Easton - - -	416 16 4
Minister, St. Mark - - - - -	R. Duff - - - -	416 13 4
Minister, St. Luke - - - - -	F. Forbes - - - -	416 13 4
Minister, St. James - - - - -	P. M'Phion - - -	400 – –
Minister, All Saints - - - - -	John Bell - - -	486 2 5
Minister, St. Clement - - - - -	Patrick Campbell - -	416 – –
Minister, St. Catherine - - - - -	Thomas Bell - - -	416 13 4
Assistant Minister, All Saints - -	J. G. Shaw - - -	194 7 6

(*continued*)

Appendix, No. 10.

OFFICE.	NAME.	Annual Salary in British or Army Sterling.
		£. s. d.
Roman-Catholic Church:		
Bishop of Leros and Vicar Apostolic of British Guiana - - - - -	J. T. Hynes, D. D. - -	266 13 4
Assistant Priest, George Town - -	J. Fitzgerald - - -	277 15 6½
Ditto - speaking Portuguese - -	J. O'Connor - - - }	194 7 6
Ditto - - ditto - - - -	J. A. Da Correa - - }	
First Priest, New Amsterdam - -	D. Lordon - - -	277 15 6½
Second Priest - ditto - - -	A. Macnamara - -	277 15 6½
Priest, Indian Mission, Mornea - -	J. Cullen - - -	208 6 8
Reformed Church of Holland:		
Minister - - - - - - -	G. Drost - - -	569 4 10
* Marshal:		Fees as per Blue Book for 1847.
Acting Provost Marshal - - -	R. S. Turton - - -	137 7 3
Provost Marshal - - - - -	W. H. Holmes - -	187 13 8
Ordinary Marshal - - - -	S. B. Liot Backer - -	198 12 5
Ditto - - - - - - -	H. J. Clements - -	211 16 6
Ditto - - - - - - -	John Liot Backer - -	224 7 10
Ditto - - - - - - -	R. S. Turton - - -	173 14 1
Acting ditto - - - - -	W. D. Landry - -	181 16 11

* *Note.*—This Return embraces the period from 1st January to 3d November 1847, on which day Ordinance No. 29, of 1847, came into operation. The Return which embraces the subsequent period will be found at page 64.

COPY of the MEMORIAL of Mr. *R. M. Jones*, an Inhabitant of Demerara, to Earl *Grey*.

London, 7, Mill Street, Hanover-square,
1 December 1848.

My Lord,

I BEG herewith respectfully to submit to your Lordship a memorial touching my present distressed position.

I am confined to the house by a serious attack of illness, or I would have had the honour of presenting the document in person at the Colonial Office.

I trust your Lordship will kindly condescend to give an early consideration to this application, and to favour me with a reply as soon as it may suit your Lordship's convenience, which may put a period to my present painful suspense.

I have, &c.

The Right Hon. Earl Grey, &c. &c.

(signed) *R. M. Jones.*

TO the Right Honourable Earl *Grey*, Secretary of State for the Colonies.

The humble Memorial of the undersigned *R. M. Jones*, an inhabitant of Demerara, British Guiana,

Respectfully showeth,

THAT your memorialist is 71 one years of age; that of those 71 years your memorialist has spent 51 in the colony of Demerara.

That your memorialist therefore is well acquainted with the history and results of the cane cultivation in that colony, under the system of slavery, the apprenticeship, and the present system of free labour.

That your memorialist, under both the system of slavery, and that of free labour, has spared no pains to cultivate with profit the growth of the cane.

That under the system of slavery, he was the first in Demerara to open schools and provide a schoolmaster for the instruction of his slaves at his own expense.

That under the same system he was a most successful colonist. That in proof of this, your memorialist appeals to the successful working under his management of the two large estates called Rome and Hanstown.

That

That your memorialist, under the present system of free labour, has been equally zealous and diligent to promote the successful growth of the cane and the manufacture of sugar in the same colony. Appendix, No. 10.

That for this purpose he has built numerous and commodious cottages for his labourers on his three estates, Spring Hall, Rome, and Hanstown, and Success; has introduced all the best appliances of machinery; erected extensive loges; located on each gangs of Africans, Coolies, and Portuguese, with a view to make up for the deficient supply of creole labour; has maintained in their original and complete repair the estate hospitals for his immigrant labourers; and has done all else in his power to meet the crisis of a change from slavery to the system of free labour.

That your memorialist has always endeavoured to discharge faithfully the duty of a colonist, spending a large portion of his revenue in the general improvement of his estates, and in promoting the comfort and moral condition of his labourers.

That your memorialist has permission to appeal to the testimony of his Excellency Sir Henry Light, the late Governor of Demerara, in corroboration of what he has above stated.

That your memorialist's plantations produced last year upwards of 1,300 hogsheads of sugar, and 100,000 gallons of strong rum; which, from the low prices, have proved insufficient to meet unavoidable expenditure.

That some years before the admission of slave-grown sugar to consumption in this country your memorialist was free from debt, and had upwards of 10,000 *l.* in this country, to which he looked as a provision for the support of his old age; that this fund is entirely exhausted in meeting the requirements of his estates; and that, notwithstanding his having applied to merchants in London, Liverpool, and Bristol, for the means of keeping up the cultivation of his estates, he can obtain no assistance.

Under these painful circumstances, resulting from the acts of the mother country, your memorialist submits his case to your Lordship, in the confidence that Her Majesty's Government will devise some measure of relief, that properties which have cost upwards of 170,000 *l.*, and which are in a high state of cultivation, may not be totally abandoned.

Your memorialist ventures to express his conviction that such assistance may be afforded to him and others similarly situated, with perfect security to the Government, by making the advances a first lien on the properties, or by some other means of equal efficiency.

Should all relief be denied, your memorialist, after having passed a long life of industry to the benefit of the community in which he lived, must, with his family, be placed in a position of absolute destitution; a result, he is persuaded, it will be the desire of Earl Grey to avert.

And your memorialist, as in duty bound, will ever pray for your Lordship.

7, Mill-street, Hanover-square, London, 25 November 1848. (signed) *R. M. Jones.*

Colonial Office, 20 March 1849. (signed) *B. Hawes.*

Appendix, No. 11.

COPY of HER MAJESTY'S ROYAL COMMISSION appointing *Henry Barkly*, Esquire, Governor of the Colony of *British Guiana*, and also of the Instructions given to *Henry Barkly*, Esquire, as Governor of that Colony. Appendix, No. 11.

Colonial Office, Downing-street, 19 April 1849. B. HAWES.

COPY of LETTERS PATENT appointing *Henry Barkly*, Esquire, to be Governor and Commander-in-Chief in and over the Colony of *British Guiana*.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to Our trusty and well-beloved Henry Barkly, Esquire, greeting: Whereas We did by certain Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster the 7th day of February, 1848, in the 11th year of Our reign, constitute and appoint Our trusty and well-beloved Sir William Macbean George Colebrooke, Knight, Lieutenant-colonel in Our corps of Royal Engineers, and Colonel in Our army, to be Governor and Commander-in-Chief in and over

Appendix, No. 11.

Our Colony of British Guiana, as by the said recited Letters Patent, relation being thereunto had, may more fully and at large appear: Now know you that We have revoked and determined, and by these presents do revoke and determine the said recited Letters Patent, and every clause, article, and thing therein contained: And further know you, that We, reposing especial trust and confidence in the prudence, courage, and loyalty of you the said Henry Barkly, of Our especial grace, certain knowledge and mere motion, have thought fit to constitute and appoint, and by these presents do constitute and appoint, you the said Henry Barkly to be during Our will and pleasure Our Governor and Commander-in-Chief in and over Our said Colony of British Guiana, with the forts and garrisons erected and established, or which shall be erected and established within the same: And We do hereby require and command you Our said Governor to do and execute all things in due manner that shall belong to your said command, and the trust We have reposed in you, according to the several powers and directions granted to or appointed you by this present Commission and the Instructions herewith given to you, or according to such further powers, instructions, and authorities, as shall at any time hereafter be granted to or appointed for you, under Our Sign Manual and Signet, or by Our Order in Our Privy Council, or by Us through one of Our principal Secretaries of State.

And We do hereby give and grant unto you, the said Henry Barkly, full power and authority, with the advice and consent of the Court of Policy of Our said Colony of British Guiana, to make, enact, ordain, and establish laws for the order, peace, and good government of Our said Colony, subject nevertheless to all such rules and regulations as by the said Instructions We have thought fit to prescribe in that behalf: Provided nevertheless, and We do hereby reserve to Ourselves, Our heirs and successors, Our and their undoubted right and authority to disallow any such laws, and to make, enact, and establish, from time to time, with the advice and consent of Parliament, or with the advice of Our and their Privy Council, all such laws as may to Us or them appear necessary for the order, peace and good government of the said Colony, as fully and effectually as if these presents had not been made: And We do hereby grant to you, the said Henry Barkly, the custody of the public seal appointed for the sealing all things whatsoever that shall pass the seal of Our said Colony.

And We do hereby give and grant unto you, the said Henry Barkly, full power and authority, in Our name and on Our behalf, but subject nevertheless to such provisions as are in that respect contained in Our Instructions aforesaid, to make and execute in Our name and under the public seal of Our said Colony, grants of waste land to Us belonging within the said Colony, to private persons for their own use and benefit, or to any persons, bodies politic or corporate, in trust for the public uses of Our subjects there resident, or any of them.

And We do hereby give and grant unto you, the said Henry Barkly, full power and authority, as you shall see occasion, in Our name and on Our behalf to remit any fines, penalties, or forfeitures which may accrue or become payable to Us, so as the same do not exceed the sum of 50*l.* sterling in any one case; and to respite and suspend the payment of any such fine, penalty, or forfeiture, exceeding the said sum of 50*l.* until Our pleasure therein shall be known and signified to you.

And We do hereby give and grant unto you, the said Henry Barkly, full power and authority, as you shall see occasion, in Our name and on Our behalf to grant to any offender convicted of any crime in any court, or before any judge, justice, or magistrate within Our said Colony, a free and unconditional pardon, or a pardon subject to such conditions as by any law in force in the said Colony may be thereunto annexed, or any respite of the execution of the sentence of any such offender for such period as to you may seem meet.

And We do hereby give and grant unto you, the said Henry Barkly, full power and authority, upon sufficient cause to you appearing, to suspend from the exercise of his office within Our said Colony any person exercising any such office under or by virtue of any Commission or Warrant granted or to be granted by Us in Our name or under Our authority, which suspension shall continue and have effect until Our pleasure therein shall be signified to you. And We do hereby strictly require and enjoin you in proceeding to any such suspension, to observe the directions in that behalf contained in Our Instructions aforesaid; and in case of the death, incapacity, or absence of you, the said Henry Barkly, from the said Colony, Our will and pleasure is that this Our Commission, and the several powers hereby vested in you, shall be exercised by such person as may by Us be appointed to be Our Lieutenant-governor of Our said Colony, or by such person as may be appointed by Us under Our Sign Manual and Signet to administer the said government; but if at the time of such your death, incapacity, or absence, there be no person within Our said Colony commissioned and appointed by Us to be such Lieutenant-governor, or commissioned and appointed by Us to be such administrator of the government as aforesaid, then Our pleasure is, and We do hereby direct that the senior officer for the time being in the command of our land forces within Our said Colony shall take upon himself the administration of the government thereof, and shall execute this Our Commission, and the several powers herein and in the aforesaid Instructions contained; and if any such officer shall, during such his administration of the government, be superseded in the command of Our said forces by any senior officer, then our pleasure is that such senior officer shall assume the administration of the said government and the execution of this Our Commission and of the several powers aforesaid, and so from time to time as often as any such case shall arise. And We do hereby require and command all officers, civil and military, and all other Our subjects and persons inhabiting Our colony of British Guiana, to be obedient, aiding and assisting unto you, the said Henry Barkly,

Barkly, or to the officer administering the said government for the time being, in the execution of this Our Commission, and of the powers and authorities herein contained. In witness whereof We have caused these Our Letters to be made patent. Witness Ourselves, at Westminster, the 9th day of January, in the 12th year of Our reign.

COPY of the INSTRUCTIONS given to Governor *Barkly* previous to his departure for British Guiana.

COPY of INSTRUCTIONS, under the Royal Sign Manual and Signet, to accompany Her Majesty's Commission to *Henry Barkly*, Esq., Governor and Commander-in-Chief in and over the colony of British Guiana.

VICTORIA, R.

INSTRUCTIONS to our trusty and well-beloved Henry Barkly, Esq., our Governor and Commander-in-Chief in and over our colony of British Guiana; or, in his absence, to our Lieutenant-governor, or the officer administering the government of Our said colony for the time being.

Given at Our Court at Windsor, this 9th day of January 1849, in the 12th year of Our reign.

1st. With these Our instructions you will receive Our commission, under the Great Seal of Our United Kingdom of Great Britain and Ireland, constituting you Our Governor and Commander-in-Chief in and over Our colony of British Guiana; you are therefore, with all convenient speed, to assume and enter upon the administration of the said government.

2d. And you are with all due solemnity to cause Our said commission to be read and published in the presence of the chief justice, the Court of Civil and Criminal Justice of Demerara and Essequibo, and of the members of the Court of Policy; and you shall then and there yourself take the oaths appointed to be taken by an Act passed in the first year of the reign of King George the First, intituled, "An Act for the further security of His Majesty's Person and Government, and the succession of the Crown in the heirs of the late Princess Sophia, being Protestants, and for extinguishing the hopes of the pretended Prince of Wales, and his open and secret abettors," as altered and explained by an Act passed in the sixth year of his Majesty King George the Third, intituled, "An Act for altering the oath of abjuration and the assurance, and for amending so much of an Act of the seventh year of her late Majesty Queen Anne, intituled, 'An Act for the improvement of the union of the two kingdoms,' as after the time therein limited requires the delivery of certain lists and copies therein mentioned to persons indicted of high treason, or misprision of treason;" or in lieu thereof, the oath required to be taken by an Act passed in the tenth year of the reign of his late Majesty King George the Fourth, intituled, "An Act for the relief of his Majesty's Roman-catholic subjects;" according as the said former Acts or the said last-mentioned Act shall be applicable to your case. And likewise that you take the usual oath for the due execution of the office of Our governor and commander-in-chief in and over Our said colony, and for the due and impartial administration of justice; and further, that you take the oath required to be taken by the governors of plantations to do their utmost that the several laws relating to trade and the plantations be duly observed. Which said oaths the chief justice of the said Court of Civil and Criminal Justice shall and he is hereby required to tender and administer unto you.

3d. And We do further require you, the said Henry Barkly, from time to time and at any time hereafter, by yourself or by any other to be authorized by you in that behalf, to administer and give to all and every such person or persons as you shall think fit, who shall hold any office or place of trust or profit, or who shall at any time or times pass into our said colony, or be resident or abiding therein, the oath commonly called the oath of allegiance, save only in cases wherein any other oath or oaths is or are prescribed by the statutes in that behalf made, or by any of these statutes; in which cases it is Our pleasure, and We do hereby direct, that you, the said Henry Barkly, do administer to such persons such other oath or oaths as aforesaid.

4th. And We do hereby declare Our pleasure to be, and do direct, that the Court of Policy shall consist of such members as at or immediately before the publication of your said commission were members of our said Court of Policy; and which several persons shall continue to be members of our said Court of Policy until such time as We shall see fit to make further order therein, and no longer.

5th. And whereas We have by Our said Commission given and granted unto you full power and authority, with the advice and consent of the said Court of Policy of our said colony of British Guiana, to make, enact, ordain, and establish laws for the order, peace, and good government of our said colony, subject nevertheless to all such rules and regulations as by your said general instructions We have prescribed in that behalf: now We

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do hereby direct that no law or ordinance shall be enacted for any purpose which shall not have been by you first proposed to be enacted by the said Court of Policy.

6th. And it is Our further will and pleasure that you do not propose nor assent to any ordinance whatever respecting the constitution, proceedings, numbers, or mode of appointing or electing any of the members of the said Court of Policy, or of any other body politic or corporate within the said colony, or otherwise in relation to any of the matters mentioned in your said commission and in these Our instructions, which shall be in anywise repugnant to or inconsistent with such commission and instructions, or repugnant to any Act of Parliament, or to any Order made or to be made by Us in Our Privy Council extending to or in force within Our said colony; but that any such ordinance or pretended ordinance shall be absolutely null and void to all intents and purposes.

7th. And you are expreasly enjoined not to propose or assent to any ordinance whatever whereby any person may be impeded or hindered from celebrating or attending the worship of Almighty God in a peaceable and orderly manner, although such worship may not be conducted according to the rites and ceremonies of the Church of England.

8th. And We do hereby enjoin you not to propose or assent to any ordinance whereby any increase or diminution might be made in the number, salary, or allowance of any public officers which have or shall have received Our sanction, without our especial leave or command therein first received.

9th. And We do further direct that you do not propose or assent to any ordinance whatever whereby bills of credit or other negotiable securities of whatever nature may be issued in lieu of money on the credit of the said colony, or whereby any government paper currency may be established therein, or whereby any such bills or any other paper currency, or any coin save only the legal coin of the realm, may be made or declared to be a legal tender, without special permission from Us in that behalf first obtained.

10th. And We do further enjoin and command you not to propose or assent to any ordinance whatever for raising money by the institution of any public or private lotteries.

11th. And We do further direct that you do not propose or assent to any ordinance whatever by which any tax or duty might be imposed upon the trade or shipping of this United Kingdom, or whereby any tax might be imposed upon transient traders, or upon persons residing and carrying on business for a short time within Our said colony, from which other traders or persons carrying on the like business would be exempt.

12th. And We do further direct that you do not propose or assent to any ordinance whatever whereby any grant of money or land, or other donation or gratuity, may be made by the said Court of Policy to you or to any member of the said Court.

13th. And We do further direct that you do not propose or assent to any private ordinance whereby the property of any individual may be affected, in which there is not a saving of the rights of Us, Our heirs and successors, and of all bodies politic and corporate, and of all other persons excepting those at whose instance or for whose especial benefit such ordinance may be passed, and those claiming by, from, through, and under them.

14th. And it is Our will and pleasure that you do not propose or assent to any ordinance whatever to which Our assent has once been refused, without express leave for that purpose first obtained from Us.

15th. And for the sake of orderly dispatch, and the prevention of all undue precipitation in the enactment of ordinances by the said Court, We do hereby authorize and require you from time to time, as occasion may require, to frame and propose to the said Court of Policy, for their adoption, such standing rules and forms of proceeding as may be best adapted for the purpose aforesaid, and for ensuring, previously to the passing of any ordinance intended to affect or benefit private persons, that due notice be given to all parties concerned of the provisions thereof, with ample opportunity for opposing the same, and that a full and impartial examination may take place of the grounds upon which the same may be proposed or resisted; and such rules, orders, and forms, from time to time, with the consent of the said Court of Policy, to revoke, alter, or renew, as there may be occasion; and We do direct that the same, when adopted by them, shall be duly observed in all their proceedings.

16th. And it is Our further will and pleasure, that all laws to be enacted by the said Court of Policy shall henceforth be styled Ordinances enacted by the Governor of British Guiana, with the advice and consent of the Court of Policy thereof; and that no other style or form shall ever henceforth be observed in any such enactments; and that all such ordinances be drawn in a simple and compendious form, avoiding prolixity and tautology.

17th. And We do further direct that when any ordinance shall have been passed by you with the advice of the said Court of Policy, the same shall forthwith be laid before you for Our final assent, disallowance, or other direction thereupon, to be signified through you; for which purpose We do hereby require you with all convenient speed to transmit to Us, through one of Our Principal Secretaries of State, a transcript in duplicate of every such ordinance as aforesaid, duly authenticated under the public seal of the said colony, and by your

your own signature; and We do direct that every such transcript be so transmitted by the earliest occasion next after the enactment of the said ordinance, and that no such ordinance be made to take effect until Our pleasure thereupon be first made known and signified to you, and by you to the said court, unless in the case of ordinances for raising the annual supplies for the service of the said colony, and in any other cases in which it may appear to you that the delay incident to a previous communication with Us would be productive of serious injury or inconvenience; in which case, as often as any such case shall occur, We thereby authorize you to determine, by your proclamation to be for that purpose issued, the time at which the same shall take effect and have its operation within the said colony: which proceedings, with the reasons thereof, you shall on the earliest occasion report to Us through one of Our Principal Secretaries of State. And We do hereby reserve to Us, Our heirs and successors, full power and authority to confirm and finally enact, or to disallow any such ordinance as aforesaid, either in whole or in part, such confirmation or disallowance being from time to time signified to you through one of Our Principal Secretaries of State; and We do further reserve to Ourselves, Our heirs and successors, with the advice of Our and their Privy Council, full power and authority to amend any such ordinance as aforesaid, in such manner as may be necessary or expedient. And if on any occasion Our pleasure should not be signified to you upon any such ordinance as aforesaid within two years next after the date thereof, then and in every such case it is Our pleasure that from and after the expiration of such term of two years, such ordinance shall be deemed to be disallowed, and shall thenceforth cease to have any force or effect within Our said colony.

18th. And We do require and enjoin you to transmit to the president of such Supreme Court or Courts of Civil and Criminal Justice of the colony, to be enrolled in the said court of justice, a transcript, duly authenticated in the manner before mentioned, of every ordinance to be passed by you with the advice and consent of the said Court of Policy, together with a certificate, under your hand and seal, of the effect of every such order which you may receive from Us for confirming or disallowing, in whole or in part, or for amending the provisions of any such ordinance; which certificate shall in like manner be enrolled in the said court of justice and there remain on record, to the intent that the judges of the said court may, without further or other proof, take cognizance of all ordinances to be made and promulgated for the peace, order, and good government of the said colony.

19th. And We do further declare Our pleasure to be, that in the month of January, or at the earliest practicable period in the commencement of each year, you do cause a complete collection to be published for general information, of all ordinances enrolled during the preceding year; and We do particularly require and direct that transcripts of all minutes and proceedings of the Court of Policy be regularly transmitted every six months, without fail, for Our information, through one of Our Principal Secretaries of State.

20th. And We do further direct that all ordinances to be made by you with the advice of the said Court of Policy be distinguished by titles, and that the ordinances of each year be also distinguished by numerical marks, commencing in each successive year with number one, and proceeding in arithmetical progression to the number corresponding with the total number of ordinances enacted during the year; and that every such ordinance be divided into successive clauses or paragraphs, distinguished in like manner by numerical marks; and that to every such clause be annexed in the margin a short summary of its contents; and you are to observe that subjects which have no proper relation to each other be not comprised in one and the same ordinance, and that no enactments be introduced which may be foreign to its professed scope and object, and that no perpetual clause be part of any temporary ordinance.

21st. And whereas We have by Our said commission given to you full power and authority in Our name and on Our behalf, but subject nevertheless to such provisions as are in that respect contained in these your General Instructions, to make and execute in Our name, and under the public seal of Our said colony, grants of waste lands to Us belonging within the same to private persons, or for the public uses of Our subjects there resident; Now We do hereby require and authorize you, from time to time, as occasion may require, to cause all necessary surveys to be made of the vacant or waste lands to Us belonging in Our said colony; and to cause the persons making such surveys to report to you what particular lands it may be proper to reserve for public roads, or other internal communications by land or water, or as the sites of towns, villages, churches, school-houses, or parsonage-houses, or as places for the burial of the dead, or as places for the future extension of any existing towns or villages, or as places fit to be set apart for the recreation and amusement of the inhabitants of any town or village, or for promoting the health of such inhabitants, or as the sites of quays or landing-places, or towing-paths, which it may at any future time be expedient to erect, form, or establish on the sea coast, or in the neighbourhood of navigable streams, or as places which it may be desirable to reserve for any other purpose of public convenience, utility, health, or enjoyment; and you are specially to require persons making surveys to specify in their reports, and to distinguish in the charts or maps to be thereunto annexed, such tracts, or pieces, or parcels of land within Our said colony, as may appear to them best adapted to answer and promote the several purposes before mentioned. And it is Our will, and We do strictly enjoin and require you, that you do not on any pretence whatever, grant, convey, or demise to any

 person

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person or persons any of the lands which may be so specified as fit to be reserved as aforesaid, nor permit or suffer any such lands to be occupied by any private person for any private purpose.

22d. And We do further charge and require you not to make any grant of land to, or in trust for the use of any private person, by any one instrument or by successive instruments, exceeding one hundred acres in the whole, without Our special permission for that purpose first obtained.

23d. And We do require, that upon all lands so to be granted there be reserved and made payable to Us, Our heirs and successors, such moderate and reasonable quitrents as can from time to time be obtained for the same, unless in any case We should think proper, by any instruction to be by Us for that purpose issued through one of Our Principal Secretaries of State, otherwise to direct.

24th. And Whereas in and by Our said commission We have granted unto you power and authority in Our name and on Our behalf to grant to any person convicted of any crime in any of the tribunals in Our said colony, an absolute or conditional pardon; Now we do enjoin and require you, in every case where you shall be applied to for any such pardon, and in every case whatever in which sentence of death shall have been passed, to obtain from the judge who presided at the trial of any such offender a report in writing of the proceedings upon any such trial, and of the evidence then adduced, and of the opinion of such judge whether the conviction of any such offender was obtained in due course of law; and whether any reason exists for the total or partial remission or commutation of any such sentence. And We do strictly command, that you do not upon any occasion permit any punishment to be inflicted which can in no case be inflicted by the Law of England; and that you do not remit any fine or forfeiture above the value of fifty pounds sterling, without previously signifying to Us the nature of the offence committed, and the amount of the proposed remission, and receiving Our directions thereupon, but in the meantime it shall be lawful for you to suspend the payment of the said fines and forfeitures.

25th. It being Our intention that all persons inhabiting Our colony under your government should have full liberty of conscience, and the free exercise of all such modes of religious worship as are not prohibited by law, We do hereby require you to permit all persons within Our said colony to have such liberty and to exercise such modes of religious worship as are not prohibited by law, provided they be contented with a quiet and peaceable enjoyment of the same, not giving offence or scandal to the Government.

26th. And Whereas, by Letters Patent under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster the 12th day of August 1842, in the sixth year of Our reign, We did ordain, establish, and constitute the city of George Town, in Our colony of British Guiana, and all our said colony, to be a separate and distinct diocese, to be called the Diocese of British Guiana: it is Our will and pleasure that in the administration of the government of Our colony of British Guiana you should be aiding and assisting to the Bishop of the said diocese, and to his commissary or commissaries, in the execution of their charge, and the exercise of jurisdiction, spiritual and ecclesiastical, excepting only the granting of licences for marriages and probates of wills.

27th. You shall be careful that in all matters relating to the celebration of Divine worship, the erection and repair of churches, the maintenance of ministers, and the settlement of parishes throughout your government, you are to advise with the Right Reverend Father in God, the Bishop of British Guiana.

28th. Upon the vacancy of any ecclesiastical benefice or cure of souls in Our said colony, of which benefice or cure of souls the patronage or right of presentation is vested in Us, you are to present to the said Bishop, for institution to such benefice or cure, a clerk in holy orders of the United Church of England and Ireland; and in the selection of clerks so to be presented, it is Our pleasure that you be guided by such instructions as you have received, or shall receive from Us through one of Our Principal Secretaries of State.

29th. It is Our further will and pleasure that you recommend proper measures for erecting and maintaining schools, in order to the training up of youth to reading, and to a necessary knowledge of the principles of religion. You are not, however, to propose or assent to any ordinance respecting religion, without a clause suspending its operation until Our pleasure shall have been signified thereupon, unless a draft thereof shall have been previously transmitted for our consideration and approval.

30th. And We do further direct that in all matters arising within your government, connected with the education of youth in the Christian religion, according to the doctrine of the said United Church of England and Ireland, or connected with the prevention of vice and profaneness, or connected with the worship of Almighty God, or the promotion of religion and virtue, you be advising with the Bishop for the time being of the said diocese of British Guiana, and be aiding him in the execution of all such designs and undertakings as may be recommended by the said Bishop for the promotion of any of the objects before mentioned, so far as such designs and undertakings may be consistent with the laws, and with your commission, and with these your instructions.

31st. And

31st. And whereas you will receive, through one of Our Principal Secretaries of State, a book of tables, in blank, commonly called the Blue Book, to be annually filled up with certain returns, relative to the revenue and expenditure, militia, public works, legislation, civil establishments, pensions, population, schools, course of exchange, imports and exports, agricultural produce, manufactures, and other matters in the said Blue Book, more particularly specified with reference to the state and condition of Our said colony of British Guiana; Now, we do hereby signify Our pleasure that all such returns be accurately prepared and punctually transmitted to Us from year to year through one of Our Principal Secretaries of State, and that no officer in Our said colony, within whose department it may lie to contribute any return or returns for the purposes aforesaid, or to prepare the same when so contributed, shall be entitled to receive, or shall receive from you, any warrant for the payment of his official salary which may become due and payable to him, so long as such duty as aforesaid shall be in arrear, or remain unperformed.

32d. And whereas We have by Our said commission authorized, upon sufficient cause to you appearing, to suspend from the exercise of his office within Our said colony any person executing the same, under and by virtue of any commission or warrant granted or to be granted by Us in Our name, or under Our authority; and We have by the said commission strictly required and enjoined you, in proceeding to any such suspension, to observe the directions in that behalf given to you in and by these your general instructions; Now We do charge and require you, that before proceeding to any such suspension you do signify by a statement in writing to the person so to be suspended the grounds of such your intended proceeding against him; and that you do call upon such person to communicate to you in writing a statement of the grounds upon which, and the evidence by which he may be desirous to exculpate himself, and that you transmit both of the said statements to Us through one of Our Principal Secretaries of State, by the earliest conveyance.

33d. And we do hereby direct and instruct you, that all commissions and appointments to be granted by you to any person or persons for exercising any office or employment in or concerning the said colony, be granted during pleasure only; and that whenever you shall appoint to any vacant office or employment any person not by Us especially directed to be appointed thereto, you shall at the same time expressly apprise such person that such appointment is to be considered only as temporary and provisional, until Our allowance of disallowance thereof be signified.

34th. And whereas great prejudice may happen to Our service and to the security of the said colony by the absence of the Governor, you shall not, upon any pretence whatever, come to Europe without having first obtained leave from Us for so doing under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State.

Colonial Office,
20 March 1849. *B. Hawes.*

Appendix, No. 12.

SUSPENSION of the Payment of the Colonial Table Allowance to Military Officers serving in *British Guiana.*

(No. 1.)

COPY of a DESPATCH from Earl *Grey* to Governor *Barkly.*

Sir, Downing-street, 15 January 1849.

REFERRING to Lord Stanley's despatch to your predecessor, Military, No. 3, of the 28th October 1842, relative to the measure to which the Court of Policy of British Guiana had recourse, to suspend payment of the colonial table allowance to military officers serving in that colony, I transmit herewith for your information, copies of a letter, and of its enclosures, which have been received from the Military Secretary to the Commander-in-Chief, and by which it appears that the payment of the allowance in question has again been suspended.

Vide page 285.

3 Dec. 1848.

Upon this subject I have to instruct you to make it known on your arrival in the colony, that if the arrears of the allowance in question already due be not speedily paid up, and if the allowance itself be not regularly issued in future, I shall feel it my duty to make arrangements for the withdrawal of the troops from the colony.

I have, &c.
(signed) *Grey.*

Appendix, No. 12.

Sir, Horse Guards, 8 December 1848.

With reference to Mr. Stephen's letter of the 17th October 1843, in reply to mine of the 12th October 1842, respecting the discontinuance of the table allowance granted to officers serving in British Guiana, I have now the honour, by direction of the Commander-in-Chief, to transmit to you for the consideration of the Secretary of State the accompanying copy of a letter, dated the 9th ultimo, with enclosures, which has been received from the lieutenant-general commanding Her Majesty's troops in Barbadoes upon the same subject.

4.

I have, &c.

Herman Merivale, Esq. (signed) *Fitzroy Somerset.*

My Lord, Barbadoes, 9 November 1848.

I have the honour to transmit herewith, for the information of his Grace the Commander-in-Chief, a letter with enclosures from the officer commanding the troops in British Guiana, reporting the discontinuance by the civil authorities of the table allowance hitherto granted by them to the officers serving in that colony.

4.

As the expenses of all the necessaries of life in that colony are very great, the loss of the allowance in question will be severely felt by the officers, and I am induced to hope that his Grace will move the Secretary of State for the Colonies to take some steps to cause the restoration of this allowance, a course which I beg to remind you has been already pursued under similar circumstances in the year 1842.

I have, &c.

(signed) *S. H. Berkeley,*
Lieut.-General Commanding.

Lieut.-General Lord Fitzroy Somerset, G. C. B.
&c. &c. &c.

Sir, Demerara, 30 October 1848.

I have the honour to report, for the consideration of his Excellency the Lieutenant-general, that the colonial table allowance hitherto granted to officers serving in this colony has been withheld for the quarter ended 30th September last, and that it appears to be the intention of the civil authorities not to again continue it. As this allowance is of very considerable importance to officers serving in this expensive colony, I have addressed his Excellency the Lieutenant-governor on the subject, and in reply received the enclosed letter (No. 1).

Under these circumstances I beg, as was done on a similar occasion in July 1842, to submit the matter, with a view to its being brought under the notice of the Home Government, and in the hope that, as on that occasion, it may be attended with success.

From the extremely high prices of provisions and all necessaries here, it is utterly impossible for officers (subalterns more particularly) to live on the most moderate and commonly respectable scale, unless some allowance is granted to them.

The sum hitherto given was found exceedingly small, viz., 25 dollars per quarter for officers below the rank of major, and has caused them, in innumerable instances, to leave in debt, yet it was of very great assistance, and its being now entirely withdrawn will naturally occasion considerable additional inconvenience.

I herewith enclose copies of two letters addressed respectively to the Under Secretary of State by Lord Fitzroy Somerset, and to Governor Light by Lord Stanley, on the withdrawal of the allowance in 1842; upon its being reported by Lieutenant-general Maister, from which you will perceive that it was considered of such importance that the allowance in question should be given to officers serving in British Guiana that it was threatened to withdraw the troops unless it was restored to them.

12 October 1848.
28 do. - do.

I have, &c.

The Military Secretary, &c. &c. &c. (signed) *Francis Perry,*
Barbadoes. Lieutenant-Colonel 3d Regiment Infantry,
Commanding the Troops, British Guiana.

Sir, Government Secretary's Office, 21 October 1848.

I have the honour to acknowledge the receipt of your letter of the 20th instant, addressed to the Lieutenant-governor.

His Excellency in reply desires me to express to you his very sincere regret that, as at present situated, his Excellency does not find himself at liberty to give effect to your request.

The amount of table allowance for the last quarter his Excellency regards as an outstanding claim against the colony, but the state of the chest precludes his Excellency at this moment from undertaking to defray it, in common with equally substantial claims; the matter will not, however, fail to engage his Excellency's earnest attention.

I have, &c.

(signed) *W. B. Wolseley,*
Acting Government Secretary.

Lieutenant-Colonel Perry,
3d West India Regiment, Commanding Her Majesty's
Troops in British Guiana.

Appendix, No. 12.

(No. 3.)

COPY of a DESPATCH from Lord *Stanley* to Governor *Light*.

Sir, Downing-street, 28 October 1842.

I TRANSMIT to you herewith copies of a communication and of its enclosures which have been received from the Commander-in-Chief, relating to the discontinuance of the table allowance hitherto granted to the military officers serving in British Guiana. 12 Oct. 1842.

Without stopping to point out the injurious effect which that harsh and inconsiderate measure must have upon the comfort and health of Her Majesty's officers, I have to desire that you will intimate at once to the unofficial members of the Court of Policy, that unless the allowance be immediately restored I shall feel it to be my duty to make arrangements for reducing the garrison of the colony to the lowest scale, if not to withdraw the troops altogether.

I have, &c.

(signed) *Stanley.*

Governor Light, &c. &c. &c.

Sir, Horse Guards, 12 October 1842.

I AM directed by his Grace the Commander-in-Chief to transmit to you, to be submitted to the Secretary of State, the copy of a letter from Lieutenant-general Maister, with its enclosure, from the officer commanding in British Guiana, reporting the discontinuance of the table allowance hitherto granted to the officers serving in that colony, and expressing a hope that Lord Stanley may be induced to take steps for the restoration of the allowance by the local Legislature of Guiana. 17 August 1842.

I have, &c.

(signed) *Fitzroy Somerset.*

James Stephen, Esq., &c. &c. &c.

My Lord, Head Quarters, Barbadoes, 17 August 1842.

I HAVE the honour to transmit herewith, for the information of the General commanding in chief, a copy of a communication from the officer commanding the troops in British Guiana, reporting the discontinuance by the civil authorities of the table allowance hitherto granted by them to the officers serving in that colony.

Knowing from personal experience of the very great expense of every necessary of life in Demerara, how hardly the loss of this allowance must press upon the officers stationed there, I am induced to request Lord Hill's kind intercession with the Secretary of State for the Colonies, in the hope that Lord Stanley may be able to take some steps to induce the local legislature of Guiana to consent to its restoration.

I have, &c.

(signed) *J. Maister,*
Lieutenant-general.

The Military Secretary,
&c. &c. &c.

Sir, Demerara, 2 July 1842.

I HAVE the honour to state for the consideration of his Excellency the Lieutenant-general commanding the forces, that according to the minutes of the Court of Policy, a copy of which is enclosed, the colonial table allowance hitherto granted to officers, agreeably to the accompanying scale, ceased on the 30th ultimo.

This allowance, formerly of much greater amount, was on the taking of the colony granted to officers, on account of the unavoidable serious expense of living, rates of messing, and every article of sustenance being extremely high. I have, therefore, to solicit his Excellency to have the goodness to endeavour to obtain from Her Majesty's Government a continuance of this indulgence so absolutely required in this colony.

I have, &c.

(signed) *H. Capadose*, Lieut.-colonel Commanding.

The Military Secretary, &c. &c. &c.
Barbadoes.

Appendix, No. 12.

The following is a return of the scale of table money allowed to officers serving in the colony of British Guiana.

Ceased 1st July 1842.

	dollars.	
Officer commanding the troops - - -	664	per annum.
Field officers, each - - - - - -	200	„
Officers commanding outposts - - - -	200	„
All other officers of inferior rank, each - -	100	„

(signed) *H. W. Gordon*, Lieut. Fort Adjutant.

EXTRACT from the Minutes of the Honourable the Court of Policy of the Colony of British Guiana combined with the Financial Representatives of the Inhabitants of the said Colony, at its Annual Assembly, held at the Guiana Public Buildings, George Town, Demerara.

"Thursday, 19 May 1842.

"The Honourable Mr. Croal, seconded by Mr. Sandback, moved that the table money to the officers of the garrison be struck off the Estimate from 1st July.

"The Court divided.

"The amendment was declared to be carried."

(A true extract.)

(signed) *W. B. Wolseley*, pro
H. E. F. Young, Secretary.

Appendix, No. 13.

Appendix, No. 13.

SCHEDULE.

No.	DATE.	SUBJECT.	Page.
	1849:		
39.	3 March	Despatch from Governor Barkly to Earl Grey, on the Settlement of the Dispute in the Court of Policy respecting the Civil List - -	286
40.	7 March	Despatch from Governor Barkly to Earl Grey, forwarding Returns laid before the Combined Court, showing the effects of the Stoppage of Supplies - - - - - - - - - - - -	293
	7 March	Despatch from Governor Barkly to Earl Grey, forwarding Answer of Combined Court to the Speech of his Excellency of 27 February -	296
36.	28 February	Despatch from Governor Barkly to Earl Grey, transmitting Two Returns from the Administrator-general, respecting Plantations under his charge, and Plantations under Sequestration - - -	299

— No. 1. —

COPY of a DESPATCH from Governor *Barkly* to Earl *Grey*.

(No. 39.)

Georgetown, Demerara, 3 March 1849.
(Received 9 April 1849.)

My Lord,

1. I HAVE the honour to report that, in pursuance of the intention expressed in my despatch, No. 30, of the 16th ult., I met the Court of Policy on the 19th ult., and finding that a good deal of anxiety existed as to the powers entrusted to me for settling the dispute respecting the civil list, I thought it expedient to announce in general terms my views upon that subject.

Vide Royal Gazette 20 Feb. 1849, sent herewith. (No. 1.)

2. The Court having adjourned for a week, after transacting business, in order to admit of the election of a new member in the place of the Hon. John Jones, who had sailed for England, upon its reassembling the reply of the non-official members to my speech was read by the Hon. Mr. Stewart.

Gazette, 27 Feb. 1849. (No. 2.)

3. That reply, as your Lordship will perceive from the enclosed copy, though couched in more courteous language than usual, reiterated their fixed determination to refuse all provision for the public service until their demands for the reduction of the civil list secured by

by Ordinance No. 2, 1841, were complied with; and it became manifest by the next act of the non-official members that the College of Electors were in accord with them in the matter, as the vacant seat was filled up, after the usual formalities of a double return, with which the official members did not interfere, by the election of Mr. Bruce Ferguson, the great leader out of doors of the advocates of reduced taxation.

4. The financial representatives being elected by the same constituency and under the same influences as the College of Electors, it was evident that they too would reject all conciliatory overtures when assembled with the Court of Policy in Combined Court, but I nevertheless felt it my duty, without reference to the course the two legislative bodies united might think fit to pursue, to lay before them at their first meeting as full an exposition as I could of the position of the colony, to urge upon them by every argument in my power the necessity of maintaining in an effective state the complicated apparatus of civil government, and above all, to impress upon them the terrible responsibility of perilling, for an idle punctilio, the future interests of a great country. These views I accordingly stated at some length in my address to the Combined Court on the following day. Copies of that address I have the honour to enclose, and I shall be happy to learn that your Lordship considers that it does justice to the important interests confided to my charge, and that my failure on this occasion arises from no want of exertion on my part to bring the colonial legislature to a juster sense of the steps that it became them to adopt. (No. 3.)

5. A pause of considerable duration ensued after the delivery of this address, and then, in answer to my inquiry as to whether the Court was willing to proceed as I had proposed with the estimate, or preferred adjourning to prepare a reply, I was informed by Messrs. Davison and Rose that they were anxious to go on at the point at which they left off on the 20th July last, viz., after carrying Mr. Davison's amendment to reduce the civil list from 39,072 *l.* 17 *s.* 4 *d.* to 26,072 *l.* 17 *s.* 4 *d.* As this was equivalent in so many words to a refusal to take the estimate into consideration, on any condition save the concession of their unlimited right to set aside the civil list ordinance, I saw no safe course open to me but to declare the Court adjourned *sine die.*

6. I might indeed have dissolved the College of Financial Representatives upon their thus, for the sixth time, refusing to vote the annual supplies, and I am quite sensible of the advantage I might thereby have gained by affording an opportunity to gentlemen secretly desirous of withdrawing from a fruitless contest, and by assembling a new Combined Court unfettered by the vote on the civil list, which was allowed to be taken on the 20th July. I felt, on the other hand, that the power of returning new members was concentrated in the hands of a few individuals, several of whom could exercise in their own person 10 or 15 votes as representatives of absent proprietors, while in one instance brought to my notice 20 votes, or about a fiftieth of the total number, were vested in one gentleman in respect to a single plantation, in which that number of parties were interested.

7. I preferred therefore awaiting the effect which public opinion might eventually produce upon a limited constituency of this description, to encountering the risk of the re-election of the present Financial Representatives with the specious appearance of a successful appeal to popular approbation upon the point at issue with Her Majesty's Government.

1. Seeing then that the advances which I had in the name of your Lordship made, had failed in reconciling the differences unhappily existing previous to my appointment to this Government, and that consequently a considerable period must intervene before the mode in which taxation is to be enforced can be decided by competent authority, it became my duty to consider whether it was possible to obviate the fearful loss of revenue which must occur, already exceeding half a million of dollars, by means of such an ordinance as was passed in 1843 upon a somewhat similar occasion, requiring the importers of all goods to give bond for the payment of such duty as might hereafter be imposed by the Combined Court.

9. I find, however, that the point had been considered by my predecessor, and that the idea of such a Bill had been abandoned on account of objections, which though they do not appear to have been at that time insuperable, were unquestionably very strong, as, unlike 1843, when three of the non-official members voted in its favour, such a measure must now have been carried by the Governor's casting vote, and in the teeth of a protest then put on record by a dissentient member of the Court, Mr. J. L. Smith, an eminent advocate, which would have afforded the text for declaiming against *ex post facto* legislation, and against the unconstitutional exercise by the official majority of the Court of Policy of a power to render subject to future taxation goods which that Court *ipso facto* admitted its inability to tax.

10. Reserving for a separate despatch a review of the financial position in which the colony is placed, and postponing to a future occasion, when I can more deliberately enter upon the subject, the consideration of the changes in the constitution which it appears to me expedient to introduce, with a view to avert in future these oft-recurring collisions with the local legislature,

I have, &c.
(signed) *Henry Barkly.*

Appendix, No. 13.

Enclosure 1, in No. 1.

Encl. 1, in No. 1.

Demerara Royal Gazette, 20 February 1849.

COLONIAL LEGISLATURE.

Court of Policy.

Guiana Public Buildings, Monday,
19 February 1849.

HIS Excellency the Governor rose and delivered the following Address to the Court:—

" Honourable Gentlemen of the Court of Policy,

" My object in summoning you to-day was mainly to expedite the progress of some of the measures already before the Court. The bills for the establishment of rural constables, for the better regulation of roads and bridges throughout the colony, and those for the division of the new burial ground, and for the formation of a fire brigade in George Town, appear to me to embrace subjects of very great importance, well deserving of that consideration which I have no doubt you are prepared to give to their details. I find, however, that owing to the session of the Supreme Court, it will not be convenient for their honors the Chief Justice and Attorney-general, to continue long in attendance on the present occasion, and I must, therefore, defer the discussion of these measures to a future opportunity. There are other important objects to which I shall likewise feel it my duty to recommend your attention at an early period. The report of Mr. M'Swiney, the inspector of schools, has been laid before you, and must have convinced you that the state of education throughout the colony is far from being so satisfactory as might have been expected from the liberal grants for promoting that object made from time to time by the Combined Court, and must have suggested to you that an improvement in the present system of applying the funds to be allotted to so important a purpose is imperatively required. I should also wish your consideration to be directed to the possibility of adopting some means for checking incendiary fires, and for protecting property generally from depredation.

" I am aware that no ordinances upon these subjects could become operative without the concurrence of the Combined Court. I trust, however, that that important branch of the local legislature will soon resume its functions, as it is my intention to assemble the honourable College of Financial Representatives, together with this honourable court, in Combined Court, on Monday next.

" I shall be prepared on that occasion to do all that lies in my power to reconcile the differences which have hitherto unhappily prevented the passing of the annual estimates. I am authorized, on the part of the Right honourable the Secretary of State for the Colonial Department, to assure you that he has no hostile prepossessions on the subject of the civil list, and that he is anxious to give due weight to every argument which can be adduced in justification of interfering with the amount as granted to Her Majesty by Ordinance No. 2, 1841, until the expiration of the year 1854, provided only the proper course be adopted by the Combined Court for bringing the various items under his Lordship's notice, together with a statement of the special grounds in each case by which the proposed reduction can be supported.

" I wish also to take the earliest opportunity of assuring you on my own behalf, that no personal considerations shall prevent my accompanying any representations that may be made as to the amount of the public expenditure, by a faithful unbiassed report of my own views on the subject. Those views it is perhaps hardly necessary to inform you, have ever been in favour of the necessity of exercising a prudent economy in the present lamentably depressed position of the agricultural and commercial interests of this colony.

" I shall, however, reserve any more particular explanation of the opinions I entertain until I have the pleasure of meeting you next week in Combined Court assembled.

" I have ordered several despatches recently received from the Right honourable the Secretary of State to be laid before you, and likewise two returns which you requested to have prepared, as to the intromissions of the administrator-general with the properties placed under his charge.

" I shall not fail to transmit copies of the latter important documents to Earl Grey, as they establish with incontrovertible fidelity the losses which have unhappily resulted during the last two years from the disproportion between the value of labour in this colony and the reduced prices obtained for its products in the home markets."

Mr. Rose requested that his Excellency would order copies of the address to be furnished to members to enable them (we understood) to prepare a reply to it.

Governor.—Certainly.

Enclosure 2, in No. 1.

COLONIAL LEGISLATURE. Encl. 2, in No. 1.

Court of Policy.

Guiana Public Buildings, Monday,
26 February 1849.

THE following reply to his Excellency's address was read by Mr. Stuart:—

"May it please your Excellency,

"We, the elective members of the Court of Policy, beg leave to thank your Excellency for the highly conciliatory speech which your Excellency was pleased to address to this court on the 19th instant, and to assure your Excellency that the measures therein mentioned shall have our best attention, and, if possible, our support.

"We are fully impressed with the importance of a well-digested system of education, and of its decided influence on the future state of society, and we are most anxious to promote it to the full extent of our diminished resources.

"We are imbued with a deep conviction that the protection of life and property is the first duty of a government, and we will therefore hail, with the greatest satisfaction, any measure which may appear calculated to check incendiary fires, and to give greater security to human life.

"We have always been, and we are now, most ready to hear, to consider dispassionately, and to concur in any measures that your Excellency may propose for effecting a settlement of the differences which have so long existed between the Right Honourable Secretary of State and the colonists, provided they are consistent with the undoubted right of the Combined Court to the control and apportionment of the entire annual expenditure.

"We receive, with high satisfaction, your Excellency's assurance that the Right Honourable the Secretary of State for the Colonial Department has no hostile prepossessions on the subject of the civil list, the more so, as his stoppage of immigration and several other acts appeared to us to show a different feeling; candour, however, requires that we should state to your Excellency that we are determined to abide by the vote on the civil list, for the year 1848-49, come to in the Combined Court on the 20th July last.

"We thank your Excellency for the assurance that you will accompany any representations that the Combined Court may make on the public expenditure by a faithful and unbiassed report. We, in common with all the colonists, rely with confidence in your disinterestedness; and although it may not, perhaps, be possible for us to concur in all the views of your Excellency, we still feel assured that you will administer the government in a frank, sincere, and straightforward spirit.

"We await with anxiety your promised exposition in the Combined Court of the views entertained by your Excellency, and we ardently hope that they will embrace the recognition of the right of the colonists to a due control of their own local affairs.

"We receive, with great satisfaction, the appointment of your Excellency, as evincing a departure by the mother country from the unjust system of suspicion which has hitherto prevailed against us, and we will now have, if possible, a stronger incentive than self-interest to assist your Excellency in relieving all classes of the colonists from an onerous and overwhelming taxation, and extending to them free institutions suitable to the existing state of society, and in consonance with the spirit of the age.

"We must congratulate your Excellency on the noble opportunity which this colony will afford you for the display of that skill and usefulness which constitute the fame of a statesman. The colony now labours under a depression which, if not speedily relieved by the mother country, will annihilate its only staple productions. Many of the labourers are fast returning to uncivilized life; insufficient laws, hitherto too frequently laxly administered, the little certainty of punishment, and the consequent indifferent respect for authority, are but a few of the evils which this colony has laboured under, and which, if corrected during your Excellency's administration, will entitle your Excellency to the gratitude and respect of the community.

"We, in conclusion, feel it our duty to express to your Excellency our deliberate conviction that some of the most prominent remedies for the grievances under which the colony at present labours, will be found in a strict and impartial administration of justice, a vigorous protection for life and property, greater deference to the views of the colonists, and such salutary supervision of persons receiving public pay, as will for the future ensure the due and faithful performance of their duties.

"*James Stuart.*
"*Peter Rose.*
"*Thos. Porter*, Jr.
"*J. Gordon.*"

Appendix, No. 13.

Encl. 3, in No. 1.

Enclosure 3, in No. 1.

COLONIAL LEGISLATURE.

Combined Court, Tuesday 27 February 1849.

Address of His Excellency the Governor to the Combined Court.

" Honourable Gentlemen of the Court of Policy,
" Gentlemen Financial Representatives,

" I COULD have wished a more extended opportunity of making myself acquainted with the subjects on which I am called to address you to-day, but the financial position of the colony permitted no delay in assembling you.

" In alluding to the proximate cause of embarrassment in that position, the stoppage of the annual supplies, I earnestly desire to abstain from any expression calculated to encumber with personal animadversions a question which ought to be discussed solely upon public grounds. I readily assume that the endeavour to reduce the civil list originated purely in a persuasion of its being heavier than the colony could afford, and that the moral effect of such a reduction upon the labouring population, during the struggle to lower wages, would have been of all the importance that its advocates have urged.

" I only regret the more that the demand for that reduction has, from the first, been urged upon Her Majesty's Government rather with an appearance of retaliation for the diminution of the protecting duty upon colonial sugars, than upon the ground of its own intrinsic merits.

" If you are now prepared to proceed in a practical way to attain the desired reduction, and to address Her Majesty for permission to deal with the civil list before the expiration of the period for which it was granted by the existing ordinance, I will gladly co-operate with you in obtaining every due consideration for the arguments you may adduce. Should you, on the other hand, unhappily resolve to persist in the attempt to nullify a formal statute upon the mere discussion of the annual estimate, imperial authority must determine how the necessary taxes for carrying on the Colonial Government are, in future, to be levied. My duty in such a case can only be to resist, as my predecessors have done, so irregular a proceeding.

" I desire most sincerely that the Combined Court should retain the control and appointment of the entire annual expenditure. But the question at issue is, as to the maintenance of a solemn engagement entered into for a definite period, and no authority short of an Order in Council can confer upon you the power of setting aside the ordinance by which the present civil list is guaranteed to Her Majesty until 1854.

" I confidently hope, however, that a more conciliatory spirit will prevail in this court; that a juster view will be taken of the interests of the colony than thus, for the sake of an economy which, however desirable, can hardly exceed 10,000 *l.* per annum, to postpone the accomplishment of those far greater reductions which, by a careful revision of the general expenditure, you have it in your power instantly to effect. Of the extent to which these reductions may be carried, with due regard to the interests of the community, you are the best judges. Having, however, very carefully examined the estimate of 1847, I must state my conviction, that, with the utmost regard for the public service, and scarcely infringing at all on the emoluments of those officers whose salaries are provided by annual vote, you might accomplish an enormous reduction, by adopting a more careful system of controlling public accounts, by extending those reforms which have lately been introduced into the administration of the principal departments, and, above all, by postponing the execution of several undertakings of utility and importance until better times.

" While enforcing the necessity of greater economy in some branches of expenditure, however, I am far from being of opinion that taxation, if faithfully administered, is an unmixed evil in a community like this; neither do I think that it would be prudent, in the present circumstances of the colony, to reduce many of our public establishments. On the contrary, I have ever maintained that our provision for administering justice, and for repressing crime, ought to be of the most effective kind; our grants for the extension of religious knowledge and for the promotion of education on the most liberal scale. In what proportion the funds for these purposes should be raised, by direct or indirect taxation, is another question. I would gladly see the public burdens of the colony very considerably lightened by confiding extensive powers of taxation for some of these objects to local bodies under popular control; and probably no better means could be adopted for training the people for those representative institutions to which we may, I trust, look forward. In either case, however, the great bulk of the taxation in this colony must fall upon that part of the produce of the soil which is paid to the labouring population in the shape of wages, and will be best expended with a view to their advancement in the duties and privileges of civilized life.

" I will now proceed to call your attention to the accounts which I have had prepared with a view of exhibiting the financial position of the colony. You will find that the sum actually expended in 1848 was $751,614. 18, and that a further sum of $82,371. 20. is estimated

mated to be still due upon accounts rendered for the service of the year. This, however, is exclusive of any remittance for the interest and sinking fund of the immigration loan payable in England. Omitting that item, the total expenditure would fall short of that of the previous year by upwards of $267,000, and of that of 1846 by about $363,000. On the other hand, the revenue collected last year amounted to $800,000, and contrary to general expectation, had the tax ordinance been continued in force during the last quarter, would have fully equalled that of 1847, due allowance being made for smaller entries for consumption in that event.

"It is certainly a satisfactory sign of the elasticity of the resources of this colony, that after a year of such deep distress, and in spite of an abandonment of revenue amounting on the 31st December, as you will see from the Receiver-general's statement, to about $400,000, the arrears which it is absolutely incumbent on you to provide for only amount to $82,000. This sum there can be no difficulty in making good from many sources, but I would call your particular attention to the expediency of doing so by an excise duty on foreign spirits, which would require but a very slight modification of the existing machinery. Should the opportunity of imposing such a tax be now neglected, I dread the effect upon the morals of our peasantry, and anticipate a competition which will eventually prove injurious to the producers of rum in this colony.

"What provision it may be necessary to make for the public service of the present year, must depend in some degree upon the extent to which the estimates may be reduced, but I much fear, even if the former taxes be re-imposed, that many of them will for some time to come, prove less productive that heretofore as sources of revenue, in consequence of the accumulation of stocks throughout the country.

"These however are considerations of secondary importance. My object on the present occasion is to exhort you, without loss of time, to terminate a state of things so destructive to the best interests of the colony, as that arising out of the stoppage of the supplies. Of the misery inflicted upon many of the most deserving members of the community by that stoppage, I could adduce many distressing instances, though, fortunately, it has not as yet produced those dire calamities to be apprehended from a total suspension of public credit. The reason obviously is that the balance in hand on the 30th September, together with the arrears of taxes due and those still leviable under certain ordinances which it was in vain contended had expired, enabled my predecessor, Lieutenant-governor Walker, by exercising a prudent economy, to defray a great portion of the charges incurred on contracts for the supply of the gaols and the police force, as well as a part of the expenses of schools and salaries of public officers borne on the estimate. But this course can be pursued no further; the funds now in the chest little more than suffice to meet the respective purposes to which they must be appropriated under ordinances to which the faith of the colony is pledged, and unless you provide the means of upholding the existing establishments of the country, I must frankly tell you that the results may be fearful.

"I earnestly entreat you, therefore, for the sake of the permanent interests of this great colony, to reflect upon the consequences of withholding, upon any plea whatsoever, the requisite provision for the maintenance of peace and order within its boundaries. I warn you solemnly to ponder well upon the necessities of our newly constituted social system before you neglect to continue the means of religious instruction and education to the lower orders.

"No one can be more sensible than I am of the deep distress which prevails among the proprietors of this colony, no one sympathises more sincerely with their unmerited misfortunes, but if they think to enforce their claims to relief by joining issue with the mother country as to the policy she has pursued towards her sugar-growing colonies, surely there must be some better mode of doing so than by thus injuring themselves, and themselves alone.

"I feel persuaded, on the contrary, that relief will be most promptly obtained by urging our claims to assistance in a widely different spirit. The policy of Great Britain may have been occasionally conceived in ignorance of our actual condition, it may sometimes have been dictated by a spirit of unnecessary distrust, but no one, I think, can accuse her of acting the niggard to her colonies when convinced of their distress.

"Even last year, when commercial disasters and financial embarrassment were not less rife than here, the sum of 170,000*l.* was advanced by Parliament to defray the expenses of coolie immigration to British Guiana and Trinidad, and a loan of half a million offered for apportionment among those colonies which were suffering most severely. Whether you will comply with the terms on which your portion of that loan is offered will be a question entirely for your own consideration; but I think you will pause ere you reject a proposition which may pave the way for more considerable advances upon the security of the colonial revenues.

"There is no doubt that the sum now offered could be most profitably employed in completing the railway and other public works; and I see no insurmountable difficulty in the way of effecting the thorough drainage of our sugar plantations, upon the same principle. Could confidence in the resources of this country be once more restored in the minds of capitalists at home, it would be of more benefit to us than any legislative panacea whatever; and I venture to predict, even in the face of the present gloom and depression, that as British Guiana has survived that social revolution which, sooner or later, must convulse her slave-holding rivals, so she will survive the crisis of their competition, under which she is now labouring, to assume the highest rank among the sugar-producing countries of the western world."

Appendix, No. 13.

Mr. *Conyers* requested his Excellency to furnish the Court with a copy of the speech.

Governor. A copy shall be delivered to you by the secretary in the course of half an hour.

After a considerable pause,

His Excellency inquired whether the Court would name a day to take up the estimate, according to the arrangement proposed by him, and proceed with it?

Mr. *Rose.* So far as I am concerned, the estimate may be proceeded with at once, and I do not think that any member would oppose that course. I have a straightforward course to pursue, which is to abide by the determination which we came to in July last. I differ from many things which have fallen from your Excellency, but I dare say we shall have an opportunity of answering them afterwards.

Mr. *Davison.* I feel it my duty to state that I differ from your Excellency in many of the remarks which fell from you in the course of your address to-day. We have been accused of breaking a solemn contract which we entered into. I maintain that that contract has been broken by the Crown, and not by us; and having been once broken it is no longer binding upon us. I see no other course open to us than that which we have already expressed ourselves willing to pursue, namely, to proceed to the order of the day; that is, to take up the estimate where we left it, and to proceed with it item by item until we have got through it. If your Excellency will permit us to follow that course, I, for one, am perfectly ready to proceed with the public business; but to any other course I feel it my duty to offer all the opposition in my power.

Attorney-General. The honourable member, Mr. Conyers, has applied for a copy of his Excellency's speech, no doubt with the view of giving honourable members an opportunity of reading that speech and of bringing up on a future occasion a suitable reply to it; and in that reply those honourable members who do not coincide with the views of his Excellency will have an opportunity of stating their own views in opposition. Then his Excellency, and those who have the honour of acting with him, will be in a position to state whether there are any circumstances arising out of that reply, in connexion with the Address, which will enable him to proceed with any proposition, such as that of the honourable member, with the view of settling the public business. But Mr. Davison, and those who act with him, must be aware, from what has fallen from his Excellency, that it is not in the power of the Governor and the members acting with him to allow any interference with the first item of the estimate.

Mr. *Rose.* I have listened with attention to what has fallen from the Attorney-general, and I see no reason why the public business should be delayed till any reply to your Excellency's speech has been made. We are perfectly aware of all the circumstances in which we can be placed. But there are some parts of the speech which I must candidly acknowledge I cannot agree with. We have been accused of having reflected in discourteous language upon the Government. I would pray your Excellency to look at the resolution of the Court of Policy of 30th December 1847, where our reasons for the reduction were first assigned, and to the two short resolutions which followed. I believe that there is no man who, on reading those resolutions, could say that there is anything in them reflecting upon the Government; but what was the answer which we received? We were told that we might deal as we liked with six-sevenths of the annual estimate, but we must not touch the civil list. Earl Grey is not ignorant of our condition. He has had since the 30th December 1847 to consider it; and are we to be told that we must now make representations to him in order that he may be able to consider whether our views are correct? We have already made representations, but they have not been attended to. I regret that your Excellency has not come out with ample powers to enable you to settle the question at issue between us. I am sure if you had such powers, that this Court would be prepared to meet you, with the greatest satisfaction, in procuring that settlement; but without such powers I cannot for a moment see the use of our making further representations to Her Majesty's Government. It is now nearly 14 months since our representations first went home to the Government. They have since been reiterated; yet we remain in the same position; and your Excellency has not been furnished with any authority, any power, to take that position into consideration. Surely we are the best judges of our own position: we know what are the means of the colony to meet the claims against it; but we have been treated in the most cavalier manner. True, we have got one or two conciliatory despatches; but I can see why they have been sent to us. It is, that Earl Grey may be able to go to Parliament and say, "See, I have done everything to conciliate those refractory gentlemen of British Guiana, but to no purpose; look at the despatches which I sent to them before Governor Barkly went out amongst them: look at those which he carried along with him; none of them have been listened to." That is the motive of the Secretary of State in sending out his conciliatory despatches. I think, after the want of attention with which we have been treated, after the little consideration that has been paid to the representations which we have already made to the Colonial Office, it would be (I was going to use a very harsh word) extremely simple in us to allow a few soft expressions, one or two conciliatory despatches, to divert us from the course which, after mature deliberation, we have determined to pursue. I cannot see the use of our remaining here at all, if the object be only to make representations to the Colonial Secretary. Besides, what is it that we are asked to do? To go into details, which are to be sent to Earl Grey, for him to judge whether we are to make the reductions or not. We cannot

cannot submit to that. If the same treatment had been dealt to British Guiana as to Trinidad we should not now be in the situation in which we find ourselves. But whatever may be the consequences of our opposition, I deny that the blame will be ours. If any evil befal the colony, let the responsibility rest with him. We have always been most anxious to go on with the business of the country; and the only matter on which we are at issue is the civil list. We do not want proofs to show that it is the Government and not the Combined Court of British Guiana who have broken the contract. We have plenty of instances to show that; but it would be painful for me to go into particulars; some of them are too personal to be mentioned, and therefore I pass them over. But I say we have been faithful to the agreement, and it has been violated by the Government. Being convinced of this, I for one will not listen to any delay. Whether the public business shall be proceeded with or not, rests of course with your Excellency. I have in my hand the estimate which was laid before the Court on the 20th July last; and I am prepared to go on with it. The first item was passed by a vote of this Court; and if your Excellency is willing to go on to the next item, we are perfectly ready to do so at once.

The Governor rose and said, "Having listened with attention to the observations which have fallen from the two members of the Court, and looking to the course which has been adopted at previous meetings of the Court, I feel that I have now no alternative but to declare that the Court stands adjourned *sine die*.

The financial representatives having retired, the Court of Policy proceeded to the consideration of documents lying on its table, and afterwards adjourned to Monday next.

— No. 2. —

COPY of a DESPATCH from Governor *Barkly* to Earl *Grey*.

(No. 40.)

Georgetown, Demerara, 7 March 1849.

My Lord, (Received 9 April 1849.)

1. I HAVE the honour to forward copies of two returns laid before the Combined Court at its meeting on the 27th ultimo, with a view of showing the effects of the stoppage of the supplies since the 30th September last.

No. 1 is a statement showing the receipts and expenditure of the colony from 1st January to 31st December 1848, and the amount of accounts still due for the service of that year.

No. 2 is an epitome of the losses sustained upon importations since the 30th September, owing to the absence of a tax ordinance.

2. Although the Combined Court again separated without making any provision for the public service, I do not despair of their agreeing to vote a certain sum on account of the payment of arrears and the maintenance of the police and gaols, pending the result of the appeal to Parliament upon the civil list question, which it is their intention to make. I contemplate, at any rate, submitting to them a Bill for the imposition of a tax on spirits and tobacco in stock, the proceeds to be expressly appropriated to the above purposes, and I trust that some of the elective members will give such a measure their support.

3. In case, however, it should be rejected, I have prepared the enclosed computation of the probable revenue at my disposal, and of the payments which it will be absolutely incumbent to make out of it, up to the 30th of June next. From this sketch your Lordship will be glad to perceive that the balance in the chest on the 1st instant amounted to about 100,000 dollars, to be reduced on the 30th June to about 16,000 dollars, irrespective in both cases of 50,000 dollars of savings bank money. The latter I should not hesitate on emergency to appropriate temporarily to the support of peace and order in the colony, but I do not think such a step will be necessary, as I find that the agents of the colony in London hold a sum of 18,000 *l.* in Exchequer bills, forming part of 23,000 *l.* included in the Ways and Means of 1847, which I hope can be made available if necessary. I shall, indeed, very probably require some aid of the sort to enable me to meet the cost of supplies for the gaols and hospitals, which amount on the average, as per statement annexed, to 32,000 dollars a quarter, for though I do not intend to liquidate this expenditure, (which is clearly continued at the risk of the contractors themselves,) further than is absolutely essential, there are cases in which the parties have neither the means nor the credit to enable them to go on without occasional payments on account. I am, however, instituting a searching inquiry into all these departments, with a view of exercising the strictest economy, and as I have already found it possible to effect a considerable saving in the customs, and am trying to reduce the cost of the police force very largely, I expect to be within my estimate, both in regard to the 67,500 dollars set down in Statement No. 3, for these services, to the 30th of June next, and the 64,000 dollars which, according to Statement No. 4, would be requisite for supplies up to the same period. On the whole, therefore, I have every reason to believe that I shall be able to surmount the difficulties which the course pursued by the colonial legislature may interpose to carrying on the government, until the question of the future political institutions of this colony can be settled on such a basis as to guard the Crown against the abuse by a powerful oligarchy of that extreme right of refusing supplies, which popular assemblies have shrunk from exercising.

(No. 4.)

I have, &c.

(signed) *Henry Barkly*.

Appendix, No. 13.

Encl. 1, in No. 2.

Enclosure 1, in No. 2.

ABSTRACT STATEMENT of the Receipts and Expenditure of the Colony of *British Guiana*, for the Year 1848.

1848.	*Dr.*	$	c.
1 January.	To balance in the treasury of British Guiana - - -	12,666	30
December.	„ amount of receipts from 1st January to 31st December 1848 - - - - - - - - - - -	798,298	50
	$	810,964	80
31 December.	To balance - - - - - - - - - $	59,350	61 2/

Note.—In the above balance is included the sum of $ 24,723. 70 c. amount of produce tax, 1847, for service of the year 1848.

	Cr.		
31 December.	By payments made from 1st January to date - - -	751,614	18 1/
„	„ balance in the treasury - - - - - -	59,350	61 2/
	$	810,964	80

Amount of accounts rendered to 31 December 1848, remaining unpaid - - - - - - - - -	72,371	20
Amount of accounts which may yet be sent in to 31st December 1848 - - - - - - - - -	10,000	–
$	82,371	20

M. J. Retemeyer,
Colonial Receiver-general.

Enclosure 2, in No 2.

Encl. 2, in No. 2. EPITOME of the Difference between the Amount of Duty which would have been payable under Ordinance (No. 12) of 1847, and the amount of 2 ½ per cent. *ad valorem* Duty collected.

	$	c.	$	c.
Loss on goods in bond on the 30th September 1848 -	51,091	04		
Ditto on importations from the 1st of October to 31st December 1848 - - - - - - - - -	340,443	11		
			391,534	15
Ditto on importations from the 1st of January 1849 to date - - - - - - - - - - - - - - -			124,600	–
Total Amount - - - $			516,134	14

N.B. Exclusive of the imports in Berbice from the 1st of January 1849.

Colonial Receiver-general's Office,
Demerara, 26 February 1849.

M. J. Retemeyer,
Colonial Receiver-general.

Appendix, No. 13.

Encl. 2, in No. 2.

Specific Statement of Six Vessels entered the 24th and 26th Instant.

Date of Arrival.		$	c.
24 February.	From Barbados, 400 barrels of flour, at $1 75 c. per barrel, duty	700	–
„	„ Philadelphia, 990 ditto - - ditto -	1,748	25
„	„ Liverpool, N.S., 164/m. feet of lumber, at $2 per m.	328	–
26 February.	„ St. Thomas, 800 barrels of flour, at $1 75 c. per barrel, duty	1,400	–
„	„ Ditto { 5,062 galls. gin, 586 „ brandy, } 5,648 galls. at $1 per gal.	5,648	–
„	„ Ditto 4,778 „ brandy, at $1 per gal. - - -	4,778	–
		14,602	25
	The 2½ per cent. *ad valorem* duty received on above amounts to	444	
	Deficiency - - - $	14,158	25

Enclosure 3, in No. 2.

Encl. 3, in No. 2.

SKETCH of the probable State of the Colonial Chest of British Guiana on the 30th of June 1849.

1849:	*Dr.*			$	c.
28 February.	To balance this day			84,940	76 2/
	This balance includes the sum of 24,723 dollars 70 cents, received on account of tax on produce of 1847 for service of 1848, and of which tax the sum of 6,000 dollars still remains to be collected; the said tax being liable, after payment of the civil list, for the interest and sinking fund on the immigration loan.				
1 March.	To amount received from savings on the civil list of anno 1848	$ 6,105	c. 30		
„	„ amount of rum duties collected in the month of February 1849	6,008	–		
				12,113	30
	„ Probable amount of revenue to be collected from the 1st of March to the 30th of June 1849; viz.:				
	Sundry fines	1,600	–		
	Liquor licences, first class	600	–		
	Retail spirit licences in city and Berbice	8,000	–		
	Retail spirit licences (rural districts)	400	–		
	Auction duties	600	–		
	Fees of Government Secretary's Office	1,600	–		
	Ditto of Secretary to Chief Justice	400	–		
	Ditto of High Sheriff's Office	700	–		
	Penal settlement receipts	1,200	–		
	Acre money and woodcutting licences	1,500	–		
	Tolls of public bridges	700	–		
	Import duties	22,000	–		
	Rum duty	24,000	–		
	Beacon and tonnage duties	4,000	–		
				67,300	–
			$	164,354	06 2/

Note.—Balance of cash in the Savings Bank of Demerara and Essequebo, on the 28th of February 1849, 50,194 dollars 31 2/ cents.

Appendix, No. 13.

Cr.

By the following Payments required:—	$	c.
Civil List for quarter ending 31 March	40,500	–
Ditto - - ditto 30 June	40,500	–
Monthly salaries for police, gaols, and hospitals, poor-money, &c. for February, March, April, May, and June, five months, at the rate of 13,500 dollars per month	67,500	–
Balance remaining on hand, 30 June	15,854	06 2/4
$	164,354	06 2/4

M. J. Retemeyer, Colonial Receiver-general.

Enclosure 4, in No. 2.

Encl. 4, in No. 2. STATEMENT of the Average Quarterly Expenditure of the following Establishments for Supplies, 1849.

	$
Police Establishment	10,000
Colonial and Seaman's Hospital	12,000
Gaols	6,000
Penal Settlement	4,000
$	32,000

G. G. Lowenfeld,
Financ[l] Accountant.

6 March 1849.

— No. 3. —

(Separate.)

COPY of DESPATCH from Governor *Barkly* to Earl *Grey*.

Georgetown, Demerara, 7 March 1849.
(Received 9 April 1849.)

My Lord,

As I have no doubt that a copy of the accompanying document will be forwarded to England by the mail this afternoon, I think it right to transmit it for your Lordship's information, together with duplicates of a correspondence which has taken place respecting it.

Time will not allow of my offering any observations upon its contents, which do not, however, seem to present aught but a reiteration of the arguments previously advanced in defence of the conduct of the local legislature.

I have, &c.

The Right Hon. Earl Grey,
&c. &c. &c.

(signed) *Henry Barkly*.

Enclosure 1, in No. 3.

Encl. 1, in No. 3. To His Excellency *Henry Barkly*, Esq., Governor of British Guiana, &c. &c. &c.

WE thank your Excellency for the speech delivered to the Combined Court on the 27th February.

Your Excellency has truly stated, that the endeavour of the Combined Court to reduce the civil list originated purely in a persuasion of its being heavier than the colony could afford, and of the moral effect it would have on the labouring population. The same reasons exist more strongly now than on the 20th July 1848.

Your

Your Excellency has been pleased to state that the demand for the reduction has, from the first, been urged upon Her Majesty's Government rather with an appearance of retaliation for the diminution of the protecting duty on colonial sugars than upon the ground of its own intrinsic merits.

With every respect to your Excellency, we must dissent from this; we never had the folly to suppose that we could influence the measures of the Imperial Parliament, in regard to its general policy; but we claim the right of pointing out to Her Majesty's Government the injurious effects these measures have on us; and we would refer to the evidence taken before the Committee of the House of Commons on "Sugar and Coffee Planting," as affording abundant proof of the injuries, the measures of the Imperial Parliament have inflicted upon the sugar-growing colonies; and, in refutation of the charge against us of acting in a spirit of retaliation, we crave your Excellency's attention to the resolutions of the Court of Policy, dated the 30th December 1847, and of Lord Grey's despatch, dated 15th February 1848, acknowledging receipt of the resolutions.

In confirmation of the truth of the statements made in these resolutions, we would refer your Excellency to the returns of estates placed under sequestration, laid before the Court of Policy by the Administrator-general, and these will, we trust, convince your Excellency that we have not been actuated by any such spirit as that imputed to us.

We have always been most anxious to proceed with the public business, as the minutes of the Combined Court will prove. It will be seen that on the 16th June 1848 the Combined Court extended the tax ordinance, which would have expired on the 30th June, to the 30th September following, in the confident expectation that the representations which had been made would have induced the Secretary of State for the Colonies to sanction a reduction of the civil list; but instead of this, Lord Grey, in his despatch of 17th June, instructs the Lieutenant-governor not to give his assent to the renewal of the tax ordinance unless passed for the remainder of the financial year, which would expire on the 30th June next, and he reiterates this instruction in his despatch of the 15th August following.

It has been the Right Honourable the Secretary of State for the Colonies who has stopped the supplies, and prevented us from proceeding with the estimate.

On the 20th July 1848 a vote was taken on the first item of the estimate, and carried by a majority, reducing the civil list from 39,072 *l.* to 26,072 *l.* The Combined Court was then adjourned *sine die*; it was subsequently assembled by Lieutenant-governor Walker, on the 25th September 1848 and 22d January 1849, but however without transacting any business, Lord Grey still refusing to listen to our representations, although he had yielded to the colony of Trinidad that which he had denied to British Guiana, evincing a spirit of hostility to this colony unprecedented in the records of the Colonial Office.

We must solemnly affirm that all the losses which have taken place, and all the evils that may follow, from the stoppage of the supplies, are attributable solely to the conduct of Lord Grey, and on him the sole responsibility must rest.

Since an ultimate appeal to the Imperial Parliament is threatened, it is only to be regretted that such was not made at an earlier period, seeing that the position assumed by the Combined Court was the same several months ago as it is now. The inhabitants of this colony have forwarded petitions to both Houses of Parliament, setting forth their grievance, and praying for redress, and we rely on justice being done us.

If the power of setting aside the civil list ordinance can be conferred by an Order in Council, then the ground that the alteration of the civil list would be an invasion of individual right is at once abandoned.

It is acknowledged by your Excellency that power to alter does exist, and the most strenuous advocate of the authority of Orders in Council, nay, even the commission of the Governor gives Orders in Council only in equal authority with the acts of the colonial courts. We however maintain, that the Combined Court is the only authority that can legally interfere in matters of finance. Moreover, the question at issue is not the maintenance of a solemn engagement; the engagement, such as it was, has been nullified by the Acts of Her Majesty's Government, who have violated that Act, both in spirit and letter.

On the 20th July 1848, the Combined Court deliberately reduced the item for the civil list, on which reduction it takes its stand.

We assure your Excellency, that it is our most anxious desire to proceed with the public business and to give the estimate a most careful revision, with a view of reducing the expenditure, but unhappily your Excellency will not afford us an opportunity of doing so.

We shall be prepared to discuss the best mode of levying taxes for defraying the expenses of the colony, when the Combined Court is in Committee for raising the ways and means.

The estimates for past years will show the great exertions which have been made to support the public institutions of the colony; but with every desire to make liberal grants for their future support, the present impoverished state of the colony is such, that, even in the public institutions the expenditure must be much reduced, as we have no longer the means of supporting them on their present scale.

Appendix, No. 13.

The change in the constitution to which your Excellency refers, is a matter especially for the consideration of the Court of Policy, which, we feel convinced, will give due consideration to any measures brought before it, to promote such changes as may be for the benefit of the colony; the changes sought, have been brought under the notice of Parliament, in petitions from the inhabitants forwarded on the 4th January last.

The accounts laid before us by your Excellency will receive our careful examination; it however appears to us, that they have been furnished to you in an imperfect and incorrect form, but this can only be ascertained when an examination is made as to the application of the funds paid out of the colony chest, which will have our especial attention. When your Excellency affords us an opportunity of proceeding with the public business, the means of providing for the public expenditure will receive our most deliberate consideration, with the view of relieving the inhabitants as much as possible from onerous and excessive taxation.

We are well aware of the distress occasioned by the present state of things, alike injurious to the best interests of the colony at large and to individuals. We must however declare that the elective members of the Combined Court have in no way been the cause of any evils, which may have already arisen, or which may hereafter arise, from the stoppage of supplies. Her Majesty's Secretary of State for the colonies is alone to blame, from his obstinacy in refusing to listen to respectful representations in his possession for upwards of twelve months. It will be a matter for our serious consideration when the proper time arrives, to examine into the legality of the payments made by the order of Lieut.-governor Walker since the 30th September last.

Your Excellency appeals to us to reflect seriously upon the consequence of withholding, on any plea whatsoever, the requisite provision for the maintenance of peace and order within the colony. Your appeal and subsequent warning were unnecessary; we have always evinced the most anxious desire to provide the means for the maintenance of peace and order, and we emphatically deny that the elective members of the Combined Court have in any way prevented the necessary supplies from being raised. Her Majesty's Secretary of State and the executive here are alone to blame, and on them must the responsibility solely rest, for any misfortunes which may befall the colony in consequence of the stoppage of the supplies.

We have never, as we have already stated, attempted to join issue with the mother country, with respect to the policy of the Imperial Parliament; but we have exercised our undoubted right as British subjects, to represent our sufferings and the injuries inflicted upon us by Imperial legislation.

The advance of 170,000 *l.* by Parliament, alluded to in your Excellency's speech, was, as far as the colony of British Guiana is concerned, raised on our own bonds. Had these been brought into the market at the time they ought to have been, the aid of Parliament would have been unnecessary. The delay arose solely from the obstacles thrown in the way by the Colonial Office. We would remind your Excellency that there is a wide difference between an advance by Parliament and money lent at interest on the security of the colonial revenues.

The Parliamentary grant of 500,000 *l.* to the West India colonies, referred to in your Excellency's speech, will have our most deliberate consideration when your Excellency is pleased to afford us an opportunity of discussing the subject in Combined Court.

The appropriation of the grant assigned to British Guiana will be taken into consideration in the Combined Court, that being the only place where matters of finance can constitutionally be considered and disposed of.

It is with extreme regret that we observe in your Excellency's speech that you have animadverted on the past proceedings of the Combined Court. We certainly expected that if your Excellency were not intrusted with authority to settle the matter at issue and to redress our grievances, you would have refrained from passing censure on the acts of the Combined Court previously to your taking over the government; but notwithstanding the apparent change in your Excellency's views, we are desirous to meet your Excellency in the most conciliatory spirit, to bring about, if possible, a satisfactory settlement of the differences which exist between the Colonial Minister and the Combined Court, and we regret deeply that we are not permitted to proceed to business.

(signed) *James Stuart.*
Peter Rose.
Thos. Porter, jun.
J. Gordon.
Wm. Bruce Ferguson.
Chas. Conyers, F.R.
Wm. Davison, F.R.
Jno. Croal, F.R.
A. Duff, F.R.
Peter M. Watson, F.R.
Wm. Brand, F.R.

Georgetown, Demerara,
6 March 1849.

Enclosure 2, in No. 3.

Sir, Georgetown, Demerara, 6 March 1849. Encl. 2, in No. 3.

YOUR Excellency having been pleased, on the 27th February, to adjourn the Combined Court *sine die*, we have been deprived of an opportunity of replying to your Excellency's speech, delivered to the Combined Court on that day.

We now take the liberty to send the reply of the elective members of the Combined Court to your Excellency's speech, and have further to request your Excellency will be pleased to allow the same to be placed on the minutes of the Combined Court at the proper time.

We have, &c.

(signed) *James Stuart.* *John Croal.*
Peter Rose. *A. Duff.*
Thomas Porter, jun. *Charles Conyers.*
J. Gordon. *Peter M. Watson.*
Wm. Bruce Ferguson. *William Brand.*
William Davison.

To His Excellency Henry Barkly, Esq.,
Governor of British Guiana, &c. &c.

Enclosure 3, in No. 3.

Encl. 3, in No. 3.

Public Buildings, Georgetown, 4 P. M.
6 March 1849.

Gentlemen,

I HAVE this moment received your letter of this day's date, with the enclosure therein.

In answer to your statement that you were deprived of an opportunity of replying to my speech at the meeting of the Combined Court on the 27th ultimo, by my having adjourned the court *sine die*, I beg to remind you that I expressly inquired before I took that step whether the elective members were desirous of any adjournment for the purpose of preparing such a reply.

I regret that I cannot, in a case of such deep importance, acknowledge any official communication as emanating from the Combined Court except when that court is in session, and I can only therefore regard the document now forwarded as addressed to me in their individual capacity by the gentlemen whose names are appended thereto.

I have, &c.
signed) *Henry Barkly.*

The Honourables James Stuart, Peter Rose, Thomas Porter, jun., J. Gordon, W. B. Ferguson; William Davison, John Croal, A. Duff, Charles Conyers, P. M. Watson, W. Brand, esquires.

— No. 4. —

COPY of a DESPATCH from Governor *Barkly* to Earl *Grey*.

(No. 36.)

Demerara, 28 February 1849.
(Received 9 April 1849.)

My Lord,

1. I HAVE the honour to transmit herewith for your Lordship's information, copies of two returns from the Administrator-general, prepared by order of the Court of Policy: the first showing his receipts and disbursements on account of the plantations under his charge, up to the 19th ultimo; the second containing a similar statement with regard to plantations formerly under sequestration, but sold previously to that date, with a note of the prices respectively realised.

2. I am confident that your Lordship will receive with deep concern the confirmation from so authentic a source of the extensive losses resulting from the cultivation of the staple produce of this fertile colony during the last few years, and of the consequent deplorable depreciation of landed property.

3. It may be as well, before giving a brief analysis of the details of these returns, to remind your Lordship that in this colony a plantation must be placed in sequestration for a period considerably exceeding a year before it can be brought to sale by the creditors; a provision no doubt humanely intended, in times when the communication with Europe was not so rapid as at present, to afford the debtor the chance of procuring assistance in redeeming his estate, but which, under present circumstances, only has the effect of allowing the buildings and cultivation to fall to decay, for want of the necessary outlay. So impossible, indeed, did it become for the Administrator-general to procure funds for taking off the crops of estates sequestrated, even with the security of a preferent lien for his advances on the proceeds of their sale, that ordinance, No. 5. of the present year, which I had the

honour

Appendix, No. 13.

honour to forward by last mail, was passed for the purpose of relieving that officer, who voluntarily relinquished his commission, from the charge of any additional estates.

4. In estimating the probability of an income being derived from property in this position, it must be borne in mind that though the necessary expenses of sequestration are heavy, yet that, on the other hand, the lowest salaries are paid, and the most economical system of management pursued, with a view solely to taking as much as possible out of an estate, within the period, and without reference to the condition in which it will eventually be left. No estate, therefore, can be worked with nearly so small an expenditure as one in the hands of the Administrator-general. Notwithstanding this, however, it will be seen that out of 23 estates which may be said, with two trifling exceptions, to have fallen into that situation during the year 1848, only four left any revenue whatever, while the others occasioned an aggregate loss of 25,000 dollars, being at the rate of 37,500 dollars per annum, as the average time during which they had been under sequestration scarcely exceeded eight months. In the same way a trifling revenue was realized from one of the nine estates sold at execution sale, whilst eight left, during the period of their sequestration, a defalcation amounting to 86,500 dollars, or within 25 per cent. of the sum which they afterwards brought at the hammer. If two other estates belonging to minors are included, the whole account will show a balance of actual loss on the cultivation of these 34 estates of about 22,000 *l.* sterling.

5. These returns do not include the sequestrations in Berbice, which have as yet been proportionately fewer in number, but I grieve to think will continue so no longer, owing to the failure, within the last few days, of Mr. Laing, the proprietor of four or five of the largest sugar-estates in that country. This gentleman, whose name will be recognised by your Lordship as that of one of the most enterprising and intelligent resident proprietors in the West Indies, is said to have liabilities exceeding 150,000 *l.* sterling, and as he was, moreover, at the head of the most considerable mercantile establishment in the place, the event will materially increase the wide-spread misery and ruin which already prevail.

6. My language would indeed appear exaggerated, if I were to attempt to describe to your Lordship the gloom and despondency which the accumulated losses of the last few years have cast over all those connected with the agricultural interests of this country. Cases have been mentioned to me, even among those who still hold a high social position, of privation approaching almost to a want of the necessaries of life. Others, once affluent, have been compelled, as in the instance just stated, to seek in bankruptcy a relief from encumbrances which they saw no prospect of ever discharging.

7. I am aware that the picture thus drawn may seem inconsistent with the confidence which I have publicly expressed in the future prospects of this colony. I cling to the hope, however, that the difficulties with which we have now to contend have their origin in the past alone. They arise mainly from the embarrassed position of the planters, and from the fears of capitalists, influenced by the recollection of recent loss, which lead them to withhold all aid, and to send out instructions to break up plantations and sell stock and machinery piecemeal, in preference to risking further advances.

8. This latter feeling may be expected to disappear gradually, if the anticipated improvement in the value of sugar should take place; but it may well be doubted if it will do so in time to prevent the ruin of many of the existing planters, which, I much fear, can only be averted by such assistance in the way of loans, raised under Parliamentary guarantee, as has been already urged upon your Lordship's attention by my predecessors.

9. Whether by such an appeal to the justice and humanity of the mother country the sugar plantations of British Guiana are to be carried on for the advantage of their existing proprietors, or whether they are to pass, with questionable benefit, into the hands of a new race of tenant farmers, or mere working planters, my opinion is that the process of abandonment will not be carried much further. I know that that opinion would be generally controverted. I can only say that it is founded upon a conviction that at the present moment, from the more economical management which has been adopted, from the easier terms on which labour may be obtained, and, above all, from the improved prices of produce, estates can be made to yield a moderate profit upon the capital invested in them, and consequently afford a sufficient inducement to continue their cultivation.

10. Entertaining that conviction, I cannot conscientiously abstain from expressing it to your Lordship, neither do I think that the permanent interests of this colony would be at all advanced by my suffering its very critical position to appear more hopeless than I really believe it to be. Without entering into an explanation of the grounds of my opinion in detail, at the present moment, I may appeal to the very documents themselves, which I am now forwarding, for some corroboration of my hopes, since they prove that the losses on the cultivation of sugar estates sequestrated in 1845 and 1846 were proportionally heavier during the time they remained under sequestration than the losses on estates placed in the same position during the year 1848, notwithstanding, moreover, that the recent improvement in the sugar market was not known at the time the Administrator-general rendered these accounts.

11. Purposing to recur speedily to this important topic,

I have, &c.
(signed) *Henry Barkly*

STATEMENT

STATEMENT No. 1.

NUMBER and Name of PLANTATIONS under the Charge of the Administrator-General of *Demerara* and *Essequebo* jointly with a Co-Sequestrator, on the 19th January 1849 (as required by an Order of the Honourable the Court of Policy, dated 19 January 1849), with a Statement of the Disbursements of such Plantations during the Period they have been under such Charge, and the Value of the Produce made and delivered till the 31st December 1848; and also showing either the Net Revenue or Loss during such Period.

No.	NAME OF ESTATE.	Nature of Estate.	Date when taken over.	NAME OF CO-SEQUESTRATOR.	Value of Produce.	Disbursements.	Net Revenue.	LOSS.
					$ c.	$ c.	$ c.	$ c.
1	Two Brothers	Abandoned	14 January 1846	James Inniss	- - -	88 33	- - -	88 33
2	Mes Delices	ditto	14 „ —	James Inniss	- - -	106 71	- - -	106 71
3	Montrose	Sugar	28 December 1847	Peter M. Watson	15,652 –	22,691 –	- - -	7,039 –
4	Felicity	ditto	28 „ —	Peter M. Watson	18,497 –	13,828 –	4,669 –	—
5	Amersfoort	ditto	7 January 1848	John Ross	3,688 55	3,532 27	156 28	—
6	Vive la Force	ditto	11 „ —	Griffin Bascome	7,015 11	10,058 80	- - -	3,043 69
7	Golden Grove	ditto	9 February —	James Stuart	3,860 93	6,254 37	- - -	2,393 44
8	Henry	Plantains and coffee	2 March —	John Jones	794 02	1,807 77	- - -	1,013 75
9	Eccles	Sugar	2 „ —	Adam Vyfhuis	927 71	1,272 74	- - -	345 03
10	Profit	ditto	20 „ —	Robert Hick	2,131 89	2,459 81	- - -	327 92
11	Greenfield	ditto	20 „ —	Robert Hick	3,026 41	4,238 26	- - -	1,211 85
12	Chantilly	ditto	8 April —	Griffin Bascome	227 33	269 51	- - -	42 18
13	Richmond Hill	ditto	29 „ —	Colin Simson	3,845 79	3,385 21	460 58	—
14	Nouvelle Flandres	ditto	27 May —	Peter Rose	8,686 88	9,418 19	- - -	731 31
15	Good Intent	ditto	17 June —	Griffin Bascome	1,902 –	2,455 87	- - -	553 87
16	Windsor Forest	ditto	22 „ —	James Stuart and H. S. Bascome	8,221 –	11,220 58	- - -	2,999 58
17	La Grange	ditto	22 „ —	H. S. Bascome	10,194 –	10,646 –	- - -	452 –
18	Clonbrock	ditto	6 July —	Thomas Porter	3,796 62	5,049 30	- - -	1,252 68
19	Mary Ville	ditto	29 July —	John M'Kenzie	5,060 52	4,055 40	1,005 12	—
20	Aberdeen	ditto	8 August —	John Jones	390 69	1,526 73	- - -	1,136 04
21	One-third Batsebas Lust	ditto	8 „ —	Wm. O. Canzius	1,807 10	2,350 46	- - -	543 36
22	Garden of Eden	ditto	8 „ —	John Jones	2,673 16	4,270 85	- - -	1,597 69
23	Better Success	ditto	23 „ —	W. B. Pollard	- none - -	679 26	- - -	679 26
				$	102,398 71	121,665 42	6,290 98	25,557 69
				Total Produce	- - -	102,398 71	- - -	6,290 98
				Total Loss $	- - -	19,266 71	- - -	19,266 71

Office of Administrator-General of Demerara and Essequebo,
8 February 1849.

(signed) *John Kennedy*,
Administrator-General

(A true Copy.)

G. G. Lowenfeld, Financial Accountant.

STATEMENT No. 2.

LIST of all PLANTATIONS sold by Order of the Court of Justice since the Appointment of *John Kennedy* as Administrator-General of *Demerara* and *Essequebo*, on the 18th February 1845, to 19th January 1849, and of which he was a Co-Sequestrator (as required by an Order of the Honourable the Court of Policy, dated 19 January 1849), showing the Amount sold for, the Amount of Disbursements, the Value of Produce made and delivered to the Date of the Sale, and the Net Revenue, or Loss, during the Sequestration.

No.	Name of Estates.	Date when taken over.	Nature of Estate.	Amount sold for.	Date of Sale.	Name of Co-Sequestrator.	Disbursements.	Value of Produce.	Net Revenue.	LOSS.
				$ c.			$ c.	$ c.	$ c.	$ c.
1	Kitty	17 April 1845	Sugar	14,100 –	9 June 1846	A. E. Luthers	20,822 75	12,213 24	- - -	8,609 51
2	Nismes	27 June 1845	ditto	25,000 –	31 August 1846	Alex. Macrae	27,617 07	29,825 14	2,208 7	
3	Vauxhall and Westminster	6 June 1845	Coffee and plantains	5,000 –	2 Nov. 1846	A. Vyfhuis	6,878 95	5,101 48	- - -	1,777 47
4	Vryheid's Lust	3 July 1845	Sugar	32,500 –	21 Dec. 1846	P. M. Watson	37,450 88	22,566 59	- - -	11,884 29
5	La Bonne Intention	5 March 1846	ditto	30,200 –	26 January 1848	P. M. Watson	51,308 84	27,759 52	- - -	23,549 32
6	Cuming's Lodge	22 June 1846	ditto	16,100 –	1 August 1848	T. Kirkpatrick	68,545 15	44,184 33	- - -	24,360 82
7	Great Diamond	14 August 1847	ditto	9,050 –	4 October 1848	M. Steele	29,535 14	19,014 85	- - -	10,520 29
8	Haag's Boosch	20 Sept. 1847	Coffee and plantains	8,100 –	13 Nov. 1848	John Jones	9,181 46	3,768 89	- - -	5,412 57
9	Beauvoisin	13 Nov. 1847	Coffee	2,000 –	2 January 1849	Geo Tighe	1,279 32	869 67	- - -	409 65
						$.	252,619 56	168,303 71	2,208 7	86,523 92
						Value of Produce	168,303 71	- - -	- - -	2,208 07
						Total Loss $.	84,315 85	- - -	- - -	84,315 85

LIST of PLANTATIONS that have been under the Administration of the Administrator-General of *Demerara* and *Essequebo*, under Apppointment from the Supreme Court of Civil Justice, showing the Revenue and Expenditure, from the 1st July 1847 to 31st December 1848.

No.	Name of Estates.	Date when taken over.	Nature of Estate.	Value of Produce.	Disbursements.	Net Revenue.	LOSS.
				$ c.	$ c.	$ c.	$ c.
1	Vergenoegen	1 May 1845	Sugar	20,996 43	25,388 80	- - -	4,392 37
2	Nooitgedacht	1 May 1845	Coffee	6,003 76	4,190 04	1,813 72	

Office of Administrator-General of Demerara and Essequebo,
8 February 1849.

(signed) *John Kennedy*,
Administrator-General.

(A true Copy.)

G. G. Lowenfeld, Financial Accountant.

Appendix, No. 14.

— No. 1. —

COPY of a DESPATCH from Governor *Barkly* to Earl *Grey*. Appendix, No. 14.

(No. 53.)

Georgetown, Demerara, 21 March 1849.

My Lord, (Received 25 April 1849.)

1. I HAVE the honour to forward the usual Half-yearly Reports of the Stipendiary Magistrates to 31 December last. Pages 325 to 330.

I avail myself of the opportunity to transmit at the same time, what I am sure your Lordship will concur with me in considering a very able and elaborate Paper upon the condition of the Colony, which Mr. Walker had commenced preparing, in order to accompany these and other statistical Returns enumerated in the Schedule herewith, and which he has been kind enough at my instance to complete.

2. It is unnecessary for me to offer any lengthened comments upon Mr. Walker's observations, agreeing as I do very generally in his deductions from the evidence thus presented.

3. On the subject of finance I have already expressed very similar opinions.

4. In elucidation of the remarks as to the export of sugar I enclose the estimates of the ensuing crop to which Mr. Walker refers, and have only to reiterate his caution as to their being too implicitly relied on, as evidence of a probable increase of production in 1849 over the two preceding years. I say this from no disrespect to the judgment of the stipendiary magistrates, but from a long experience of the fallacy of computations framed at this early period of the season, even by practical planters. No. I. Schedule (B).

5. I must extend the same criticism to a subsidiary report furnished by Mr. Beamish, late magistrate of district E., embracing much valuable information, and evincing very laborious research on his part, but leading (as I may unreservedly say, as that gentleman has accepted the permanent appointment of keeper of Georgetown Gaol) to the most erroneous conclusions. If Mr. Beamish be right, the 22 estates in his district left last year an average revenue of about 1,000*l.* sterling each, a surmise which contrasts strangely with his subsequent statement, that one of the number is let to the negroes for a perfectly nominal consideration, and that three others will probably be abandoned in the course of the present year. I have no doubt that these statistics were communicated by managers or others connected with estates, but information from these sources is not always disinterested, and seldom strictly accurate. This your Lordship will perceive on comparing Mr. Beamish's account of plantation "Vergenægen," with the actual return of that property, signed by the Administrator-general, which it so happens was forwarded as a specimen of the loss entailed by sugar cultivation, with my predecessor's despatch, No. 3, 18 January 1849. According to Mr. Beamish, this estate made 160 hogsheads of sugar, and 16,000 gallons molasses; the crop actually about equalled 145 hogsheads, and 14,724 gallons molasses. The wages are stated at $ 5,500: they really were $ 5,825. 70. Other expenses, on Mr. Beamish's showing, would be $ 2,750, whereas they amounted, without reckoning interest on advances and Curator's commissions, to no less than $ 5,793. 75; and the transactions of the year, instead of bringing, as Mr. Beamish would make it, a profit of $ 2,566, resulted in a loss to the owners of $ 2,130. 95. No. II. Schedule (B). Return (B.) Schedule (A.) No. III. Schedule (B.)

6. If facts thus collected very often prove fallacies, it is natural that the calculations of the collectors should be equally wide of the truth, and it would be found, on investigation, that the Administrator-general's estimate of $ 50, or ten guineas a hogshead, was far nearer the average price obtained for Muscovado sugar last year than 12*l.*, which Mr. Beamish takes as a low rate; while again, instead of the cost of labour amounting, as he assumes, to eight-twelfths of the elements of production, the other expenses are actually equivalent to the wages, as at "Vergenægen," or at least five-twelfths of the whole, as at "Herstelling." With such corrections it would be abundantly proved that the proprietors of the splendid estates on the west coast of Demerara are not such barefaced impostors in complaining of distress as Mr. Beamish would, inadvertently I have no doubt, make them appear. No. III. Schedule (B.) Letter (B.) Schedule (A.)

7. I have dwelt thus much upon this subject, not, I am sure your Lordship will believe, from any desire to depreciate the efforts of a deserving body of public officers, but because it is impossible to perform my duty in keeping Her Majesty's Government correctly informed of the state of affairs in this colony, without reconciling discrepancies in documents forwarded, which would, if unexplained, tend to confuse and not to instruct.

As regards the metairie system, there is no question that it has been much discouraged by the great fall which occurred in the value of produce, subsequently to most of the agreements for farms being entered into. Not feeling, however, certain as to the applicability of the system to the production of cheap sugar, I am not quite so sanguine as Mr. Walker of the advantages it offers to this colony. My own experience inclines me think the farms of the métayers rather a useful auxiliary, where the growth of a certain crop of canes is already secured, than a resource to be depended on by the owner of a large manufactory,

requiring

Appendix, No. 14.

requiring a regular combination of labour to render the capital invested profitable. Mr. Beamish's account confirms this view of the case. On the other hand, I have heard of instances in which there seemed a fair promise of success. I purpose to institute more extended inquiries on the subject, and to report further respecting it to your Lordship.

9. The villages will likewise form the subject of a separate communication, so soon as I have had an opportunity of personally inspecting the condition of most of them, and advising with the law officers as to the measures to be adopted to remedy the doubtful titles of many of the sub-purchasers, and the deficiency of local organization among their inhabitants.

No. IV. Schedule (B.)

10. With respect to Mr. Walker's very valuable observations on the increase of crime and the causes to which such increase is attributable, I have first of all to call your Lordship's attention to a further return which I have had prepared, and which exhibits too clear proof of the former, and throws much light on the latter point. It is a statement of the number of persons committed for trial before the Supreme Court of Criminal Justice at each of its sessions, from January 1847 to January 1849. It appears that whereas the mean number of committals for felony at seven meetings of the court were 22; never varying at any session more than nine either above or below that average; the felonies in the November session of 1848 suddenly rose to 43, and in January this year amounted to 36; the two last sessions presenting as nearly as may be the same number of committals as took place in the four sessions immediately preceding them. The misdemeanours on the other hand did not exceed an average. Now what cause can be alleged for this sudden doubling of crimes of an aggravated character during the last six months, after having been for the first nine months of 1848 considerably less than in 1847? It is, I fear, almost a necessary inference that it arose from the effect upon an ignorant populace of the predictions current in the newspapers and in conversation, since the struggle about the Civil List commenced, that the courts of justice would be shut up, the police disbanded, and the gaols flung open. I see no other conclusion than that the stoppage of supplies in September last has indirectly given this tremendous impetus to crime, thus verifying the expectations which the inspector-general of police, and those best able to judge, formed at the moment.

11. In assigning this cause for the recent startling increase of serious offences, I do not by any means imply that the minor offences to which Mr. Walker alludes are not correctly ascribed to idle habits, produced by the resistance of the peasantry to the reduction of wages, nor even that that resistance has not sometimes led to agrarian outrages, which swelled the list of crimes before the Supreme Court. With one-fourth of the owners of plantations in a state of insolvency, the wages in arrear for months, and produce destined for their liquidation seized by creditors, it was impossible but that an angry spirit should be generated, and such collisions rendered probable. Thus watchmen have been murdered while defending plantain-walks, and megass-houses set on fire in revenge for charges brought against such depredators. Indeed, the only attempt at incendiarism which has occurred since my arrival is attributed to the latter cause, a man so suspected being now in custody for setting fire to the logie on "Bathsheba's Lust" in Essequibo, an estate in the hands of sequestrators. The accused in this case is a Barbadian, a circumstance which leads me to allude to what has been urged with some degree of truth in defence of our creole population, that a large proportion of crimes are committed by immigrants, too often the worst characters in the communities which they have abandoned. But this is only true to a certain extent, as is proved conclusively by the fact that two-thirds of the inmates of the penal settlement are natives of this colony, while the gaol returns, sent herewith, show even less favourably for the creole character.

Letters (D., E., F., G.) Schedule (A.)

12. I cannot pass by Mr. Walker's concluding observations as to the condition and character of the labouring population, without dwelling for a moment upon the cheerless picture which they exhibit as the sequel of ten years of liberty. I confess that the tracts of land grown up in rank vegetation, instead of canes or coffee bushes, the broken down bridges and impassable roads, which I encounter in my daily rides, strike me with far less apprehension for the future destiny of British Guiana, than the apparent retrogression exhibited in these authentic annals of the emancipated peasantry. True, we ought to remember that "less than 15 years have elapsed since they were slaves subject to the most unfavourable influences;" but how much better might it not have been for themselves if that fact had been borne in mind then instead of now! Who that recollects the bright dawn of freedom in this colony, would expect to find among the religious, law-respecting people, who then threw off the yoke of bondage without a single offence against society, the very perpetrators of these crimes, which strike at the root of all property. Would it not have been better to run the risk of a little occasional harshness in inculcating the great principle of *meum* and *tuum* as to petty thefts of their masters' fruit or canes, than to learn at the present day from the special magistrates that such is the feeling of insecurity and distrust prevalent among the negroes themselves, that the villagers have almost entirely ceased to cultivate plantains in their little freeholds. It is not because I am daunted at the obstacles which present themselves to the restoration of order in the colony that I refer to the past. I am glad, it is true, to put on record for my own justification in case of failure, a full recognition by a competent and impartial judge, of those difficulties which beset my path. But I am chiefly anxious to do so because I trust that Mr. Walkers *résumé* of the experience of his own administration, taken in concurrence with Sir Henry Light's later despatches, will have

have weight with those who exercise a more lasting influence than Secretaries of State or colonial governors; with those who, in fact, are mainly responsible for the comparative failure of emancipation; I mean the British public.

13. It must be evident by this time that the moral and the economical success of that grand experiment are inseparably united; that the progress of civilization among the negro race depends, to speak plainly, upon the maintenance of sugar cultivation in these colonies. And philanthropists must surely perceive at length, that it is a more wise and humane policy to smooth the inevitable difficulties of the struggling planter, than to ruin the objects of their favour by attempting to secure them in the monopoly of the labour market, or to inveigh against the expediency of subjecting them to the same laws as have been found essential to secure order and industry, even among the redundant population of the mother country.

14. Having recently addressed your Lordship respecting the state and prospects of sugar cultivation, in forwarding certain returns from the administrator-general, I shall not follow Mr. Walker over the same ground in his remarks upon those documents. I regret to observe that he does not appear even so sanguine as myself of the issue of the present crisis. I see, however, no greater reason than I then did to despair of the result in this magnificent colony, where I verily believe the chief obstacles to successful competition with foreign countries would never have existed, if protection had been withdrawn from its produce when the rate of wages was as yet unfixed at the period of emancipation, and the planters at the same time had been allowed access to those countries where cheap free labour was to be procured.

I have, &c.
(signed) *Henry Barkly.*

Mr. *Walker*'s Paper on the Condition of the Colony.

Guiana Public Buildings, Demerara,
20 March 1849.

DELAYS which have unexpectedly occurred in furnishing some returns have protracted the preparation of the few remarks with which I proposed to accompany them when completed; in the meanwhile, however, the receipt of the reports of the stipendiary magistrates for the half year ended 31 December 1848, affords sufficient data for the object I have in view.

In glancing at the condition and progress of the colony during the past year, it is natural to commence with a reference to its financial affairs; but on the present occasion, owing to the peculiar circumstances of the times, no comparisons can be instituted, nor can any inferences be deduced, which will be of practical utility. During the whole of the last three months of the year, the only import duty levied was an *ad valorem* impost of two and a half per cent., in lieu of all the specific duties upon enumerated goods, and an *ad valorem* duty of four per cent. upon non-enumerated goods, established by the preceding tariff, while importations were pushed to an enormous and unusual extent, with the object of avoiding the payment of those duties which it was of course anticipated would have been long ere this imposed.

The official returns of imports for this period will therefore afford no safe or certain criterion of what might have been the case under ordinary and natural circumstances; and even had commerce not been disturbed in its usual current, it is to be assumed that modifications of duties would have been effected in various instances, so that any estimate of what the year might have yielded as revenue, as compared with its predecessors, must be fallacious.

On the other hand it should be also borne in mind, that while it became indispensably necessary to restrict the expenditure of the colony during the last quarter of the year to the lowest possible limit, it inevitably resulted that a more than ordinary accumulation of arrears took place, which will have to be provided for during the course of the present year; thereby constituting an apparent charge upon its funds, although really belonging to those of 1848.

Upon a review of all that has occurred, however, I am of opinion, that under ordinary circumstances, the revenues of 1848 would have fully equalled those of 1847, or at all events that the depressed state of affairs in the colony would not have exerted any seriously detrimental influence upon them.

It may be remarked, as illustrative of how little the modifications of indirect taxes affect the comforts of the population, that, with the exception perhaps of foreign spirits, with which the country has been almost literally flooded, no sensible diminution of price has been felt by the consumer in consequence of the cessation of all but an almost nominal import duty.

I am not aware of any local revenues in this colony, excepting those raised in virtue of the annual assessments upon houses and lots in Georgetown, New Amsterdam, and latterly the village of Queenstown in Essequibo. The extension of this plan of local assessments is for obvious reasons much to be desired; it has been applied for by the inhabitants of other villages, it is recommended by some of the stipendiary magistrates, and has been sanctioned by the Secretary of State.

The total quantity of sugar exported in the year 1848, as compared with that of 1847, exhibited a falling off of about 600 hogsheads; but there was some increase in the article of rum.

Appendix, No. 14.

rum. Although the estimates of the coming crop, as furnished by the stipendiary magistrates, would warrant a calculation of its proving equal, at least, to that of 1848, I fear that this is not likely to be fully verified. It will be seen, not only that on several estates no preparation has been made for the agricultural operations of 1849, but that, generally speaking, even the métayer system has retrograded, owing to the unremunerative prices obtained by the farmers for their crops, amongst other unfavourable influences; while to counterbalance these sources of diminution, we have only to look to the possible augmentation in quantity and value of the produce to be made upon some properties where pecuniary means have been available for the introduction of improved methods of manufacture, or keeping an effective gang of labourers in the fields.

It is nevertheless worthy of remark, that 1847 and 1848 have each exhibited a result of production far beyond the average crop of the ten years which have elapsed since emancipation a fact which, while it shows the elasticity of the resources of the colony, speaks strongly in favour of the energy and intelligence with which the proprietary body must have applied themselves to their development.

I think it right to call particular attention to the unfortunate effects of the long-continued depression in the produce markets upon the experiment of the farming system, because in the actual circumstances of the West Indies, I look upon it as being capable of contributing in an important degree to both the moral and material welfare of these communities. Men will nowhere work from the mere love of labour, and in this country it is unfortunately incontestable, that it requires the temptation of a high rate of wages to stimulate effective continual industry, as well as the co-operation of large numbers of labourers, to render the conduct of a plantation successful; but where the needful pecuniary means might be wanting to secure such services, the plan of share-farming seemed likely to be advantageous to all parties, by making the capital of labour take the place to a certain extent of the capital of money, by inspiring the labourers with the feeling of personal interest in the profit or loss of their task, and fostering local attachments, and by affording the proprietor of the soil a chance of deriving some return from a possession which might be otherwise comparatively valueless.

The trials hitherto made sufficiently indicate the practicability of success, but they also show that its attainment depends upon the combination of so many and such varied elements, that the process will generally be slow in its progress and uncertain in its issue.

I have been informed of one case, an estate cultivated partly by the métayer system and partly on account of the owner, where the contrast between the returns of produce from the farmers' fields and those of the proprietor was so marked as to render the advantage of giving the labourer a direct interest in the cultivation quite unquestionable.

I wish next to advert briefly to the numerous village settlements which have been formed since emancipation in all parts of the colony, and which might have proved nurseries of labour for the plantations. This expectation cannot, I fear, be said to have been realised, nor is the condition of these communities, with some few exceptions, at all satisfactory. Many of them consist of one large property, which is held by a sort of joint tenancy, and the individual rights of the individual proprietors never having been settled or defined, they possess no titles to the particular shares into which it has been divided; and although they cannot of course give to a purchaser that which they themselves do not possess, yet alienations of various kinds, and under different circumstances, have continually occurred, so as to render the existing confusion upon the subject very great, with every prospect of its being augmented rather than diminished in the course of time. To illustrate my meaning, I may adduce a particular instance. The line of the Demerary East Coast Railway passes through several such villages, and the company are empowered, as usual, to take possession of any lands requisite for their purpose. But in the cases to which I allude the company cannot, though quite ready to do so, pay for the land they take, inasmuch as there is no one holding, or who can give a legal title to it. Hence arises a feeling of distrust and discontent on the part of the people, at having, as they conceive, their property forcibly taken possession of without compensation, which it is much to be desired should be removed.

They also require some kind of organization for purposes of local regulation, of which they are themselves so sensible that more than one community has had prepared amongst themselves a code of rules for that object. It is highly important that this should be accomplished, in order, by accustoming the inhabitants to habits of self-government, to qualify them for the discharge of political duties, and the enjoyment of constitutional privileges. In no colony, perhaps, has the principle of centralization in all matters connected with local administration been carried to a greater extent than in this. Every necessary public institution is supported by the public chest, and almost every public Board of direction or of management, including the parochial vestries, is dependent for its constitution upon the nomination of the executive and legislative authorities; there is, however, a growing disposition to favour the introduction of other arrangements, which deserves every encouragement, but which requires judgment and caution in bringing it into active exercise, so that the transition from one system to the other be not too sudden nor too violent.

But few additions have been lately made to the number of village settlements. I do not enter into any investigation of their moral condition, having already adverted to the subject in a former communication.

It is stated that in some districts the creole labourers now seek for employment, and are willing to take it of a description and at a price to which they would formerly have objected; but on the other hand I have been informed that where large numbers are required, and where

where their labour cannot be dispensed with, as upon the railway extension works now in progress, they demand and obtain even a higher rate of wages than was given for the performance of similar work last year, while they are equally independent and indifferent in their demeanour.

The magistrates seem generally to concur in opinion that a larger proportion than usual of children have gone to work upon plantations, but that this result has been attended by a corresponding reduction in the attendance at schools, both daily and Sunday.

The increase of crime, more particularly perhaps remarkable in the counties of Demerara and Essequebo, is a fact which, to a greater or lesser extent, is borne out by the opinions of the stipendiary magistrates, although I do not think, looking at the mere numerical proportion, that it is conclusively to be derived from such prison returns as have come under my notice. For the most part the magistrates hesitate to assign any specific cause for this unpleasant feature. I greatly fear it must be ascribed to the idleness of a large portion of the able-bodied peasantry for many months, induced by their determination not to accept of reduced wages for the same amount of labour. For some time, no doubt, they had the means of subistence at their command, partly from savings of previously earned wages, partly from other resources, such as fishing, shooting, the produce of their provision grounds, &c., but when these began to fail, the want of regular occupation produced its usual effect upon minds so untutored; the plunder of plantain walks and cane pieces was resorted to, and at length, whenever it was known or suspected that money was to be had, its acquisition was resolved upon at all hazards. Within the last twelve months I believe no fewer than four brutal murders of watchmen upon plantations have occurred; robberies upon the highway, as well as attacks upon dwelling-houses, have been frequent, and assassinations have been not only attempted, but, in broad daylight, successfully perpetrated.

The want of uniformity in the comparative returns of commitments to prison for the last three years precludes the statement of any results of which the accuracy can be implicitly relied upon.

The principal offences, in point of frequency, are thefts, assaults, abusive language, and riotous and disorderly conduct.

One of the most striking features of those returns which have been received, is the small proportion of offenders who have received any education. In the Berbice returns for 1846, out of 426 commitments, 410 are said to have been without education; in 1847, out of 386, 374 were in that position; and in 1848, out of 497, 481 are so reported.

The Mahaica gaol (a rural district prison in Demerara) returns in 1846, out of 409 prisoners, 61 who could "read and write," and 347 without education; in 1847, out of 395, 54 who could "read and write," the remainder uneducated; in 1848, out of 342, 28 who could read and write, and 314 without education; and it is evident that the being able to read and write signifies a very elementary degree of knowledge, since the column for "good" education is left blank altogether.

The Capoey and Wakenaam gaols, in the county of Essequebo, furnish no useful results under this head; but it seems singular, that while in the island of Wakenaam the commitments in 1848 were nearly three times the number of those in 1847 in Capoey, which is upon the opposite shore of the mainland, they were in both years almost exactly the same. The great increase at Wakenaam was under the heads of petty thefts and abusive language, but that the offences generally were not of a very serious character may be fairly inferred from the fact that eleven-twelfths of the whole number were sentenced to imprisonment for a shorter period than two months.

The penal settlement return exhibits some considerable increase in 1848 as compared wito 1847, but the reverse as contrasted with 1846, while 1847, on the other hand, was distinguished by the larger proportion of grave crimes. The year 1848 presents, for the first time, commitments to this establishment for killing cattle, an offence which has for some time past been much upon the increase.

The specifications of the religious profession of the criminals are too vague and uncertain to be depended upon, being merely taken from the statements of the parties themselves, many of whom are in the constant habit of changing from one congregation to another from the influence of caprice, or of indifference. These particulars, moreover, have not the advantage of being checked by the supervision of any chaplain.

The education return, however, confirms the results exhibited by those of the gaols, since of 150 prisoners it shows that 117 were totally destitute of instruction, while the degree of education possessed by the remainder must evidently have been of the most elementary character.

Of the prisons themselves it may be sufficient to state, that none of them are at present adapted for the application of any efficient system of discipline. The gaols in Essequebo, and that at Mahaica are merely houses of detention for a few offenders, generally varying in number from 8 to 20, who are committed for trifling offences, and there is attempted neither classification, hard labour, nor anything in fact beyond mere temporary restraint. All persons in the two counties charged with serious crimes, beside all in Georgetown or its vicinity, for any offence whatever, are committed to the Georgetown gaol, which is therefore frequently crowded to inconvenience. The confinement of females in this prison is, under present circumstances, very objectionable, there being no adequate means of secluding them. There is also a police hospital within the gaol which it is very desirable should be removed, and there is not a single solitary cell for the confinement of unruly prisoners. The penal settlement has been the subject of a separate report.

Appendix, No. 14.

The general subject of the education of the mass of the population has of late attracted more than ordinary attention in consequence of the publication of the report of the inspector of schools; and while opinions may, and doubtless do differ as to the practical value of his suggestions for the improvement of our educational establishments, upon one point all will readily agree, namely, that there exists the most urgent necessity for some steps being taken in the right direction, inasmuch as their actual state reflects no credit upon us as a community, and does not even afford any adequate return for the amount of public funds hitherto allotted for their support.

The theme is a fertile and a tempting one, but it is not my intention here to enter upon its discussion. I regard the liability of the State to take care that its members are duly educated, excluding all needless interference with religious tenets, as being of paramount obligation, and I think that a Board of Education, properly composed, offers the most suitable means of its acquitting itself of this duty, but the difficulties which have to be overcome in a community so constituted as this is, are too numerous, and some of them too obvious, to be noticed here. I will only add, that the "Commissioners of Education," so termed, who have been from time to time appointed by the Legislature to watch over the disbursement of the annual vote for educational purposes, are in no way whatever chargeable with neglect of duty in regard to, nor to be held responsible for, the unsatisfactory condition of the free schools throughout the colony.

It will, I think occur to any one who examines these reports attentively, that the proportions of marriages to population in the respective districts is remarkably small. The reason assigned for this by Mr. Ware is in one respect satisfactory, inasmuch as it seems to indicate a higher tone of moral feeling and delicacy amongst the young females of the labouring class, than exists on the side of the other sex. The fact itself, however, is a lamentable one, and is, I believe, in forcible contrast with the eagerness which was at one time manifested by the emancipated population to have their unions sanctioned by the marriage ceremony; nor is the change less striking, it may be here remarked, in regard to their addiction to costly clothing and expensive articles of food; matters which, once anxiously sought after, are now regarded with comparative indifference; and this is a circumstance which, affecting a very large body of consumers, is not without its influence upon the commercial transactions of the colony. Hence probably may arise the little effect produced upon them by diminution of wages or restriction of employment. Instead of inducing more strenuous exertions to reap the same amount of reward as before, they are rather content to circumscribe their enjoyments, and instead of striving to make progress in habits of civilisation prefer to fall back upon a retrograde path. The fact of the continued prevalence and undiminished influence of the practice of "obeah" in this and other colonies will partially illustrate the slow progress of intellectual improvement amongst them; and there seems to be a general impression that the rising generation are less docile and more inclined to evil and reckless pursuits than their elders. In discussing, however, the condition and character of the labouring population of the West Indies, the disadvantages which they have had, and still have, to encounter, should never be lost sight of: and when it is remembered that less than 15 years have elapsed since they were slaves, it might be well to inquire whether we are not occasionally apt to overlook the unfavourable influences to which they have been subjected, and to expect too much as the result of mere liberation from corporeal restraint. I do not think them in any respect worse than a similar clsss of any other race in any other country would be if in the same state of ignorance, and open to the same temptations as they are.

The returns from the Administrator-General's Office for Demerara and Essequebo, formerly sent, will afford ample, but far from agreeable information, as to the rapid declension in the value of property; they also furnish some useful and interesting information as to the financial results of working estates under sequestration. I had hoped to be furnished with some similar statements relative to plantations still under independent management, but the only one which I have been able to procure is that of an estate not far from Georgetown on the Demerara River. This estate is entirely unincumbered, and is under most careful supervision, yet it will be seen that excluding expenditure of an unusual (but reproductive) character, the net returns of last year's cultivation would afford but a slender profit upon the presumed value of the property.

Vide Enclosure (B.)

Only one estate is actually under sequestration in Berbice, and that merely the undivided half of a coffee estate. Several others are reported as being likely to be soon abandoned.

Vide Enclosure (A.)

The pressing necessity therefore which exists for the application of some remedy to the difficulties which beset the colonial interests will scarcely be disputed. It may indeed be said, and there is probably truth in the assertion, that a settlement of those questions which have so suddenly and so violently convulsed nearly all the countries of Europe, would, of itself, produce a marked improvement in the state of affairs here; but the experience which the present crisis has been the means of affording, sufficiently proves that something more is wanting to ensure the continuance of even moderate prosperity to these communities. The confidence of the moneyed class in the mother country in the profitableness of investments in West India agriculture has been too severely shaken by late events to authorize our placing any dependence upon the extension of aid from their resources; and if we regard the system of protective duties as being finally exploded, there seems to be no alternative but that of substituting national for private capital as the means of enabling the remaining proprietors of the soil so to improve their processes, both agricultural and manufacturing, as to enable them to offer to the consumer a better article at a lower price, yet leaving themselves a profit. Combining with this such immigration of labourers as would be really beneficial, and not too heavily pressing upon the colonial funds, the prospect of the future might be less gloomy than at present it seems to be.

I have

I have already adverted to the aggregate amount of produce exported, as evincing the exertions which must have been made; I may now briefly allude to the various improvements which have been made or attempted; we find that on some estates the plough has been introduced with gratifying success, on others the large agricultural fork has been extensively employed. At an estate near Georgetown, a new mode of manufacture called the "cone de limber" has been for some time in operation; on others vacuum pans and other costly apparatus have been established, in one instance at an expense of probably not far short of 10,000 *l.* Apart from all these instances of individual enterprise, Dr. Shier, the colonial chemist, has been sedulously engaged in conducting a series of most interesting and important experiments upon the possible improvement of the staple products, without the necessity of adopting any great change in the ordinary apparatus, in which there is a confident expectation that he will be abundantly successful.

But it is a matter of considerable annoyance to those who are thus engaged, that the better the article they produce the higher is the duty to which it is subjected upon entering the ports of the mother country. It is, I believe, admitted that this was advisedly done and really with the view of benefiting British produce, but its actual effect seems to fall short of attaining that object, while it operates as a check to the attempts which might be otherwise more generally made. The withdrawal of all duties upon colonial products, which in no shape enter into competition with those of the parent state, would probably be both a just and a salutary measure, if her finances could afford it, and other means might be found of providing for those expenses, the maintenance of which is the ostensible ground for the continuance of such duties.

And here, I trust, it may not be deemed presumptuous in me to record my entire dissent from that theory which assumes the colonies to be a heavy and useless burthen upon the mother country, and that it is more to her advantage to cultivate a connexion with independent States. The tendency of recent commercial legislation has undoubtedly been to strengthen and increase our dependence upon a country which is at once England's noblest offshoot, and seems destined to be her greatest rival; and if the colonists must suffer from inability to command remunerating prices for their products, it appears by no means clear that the manufacturers of Great Britain will not also have to share the evil, in finding the markets of the colonies melting from within their grasp.

Much might be said upon the natural capabilities of these colonies, and especially because it is not unusual to find it asserted that their soils are sterile and exhausted, as compared with those of their foreign rivals. I believe this to be entirely erroneous, and with respect to this province in particular, to which the epithet magnificent, even if hackneyed, is yet appropriate, it would be difficult indeed to set a limit to its capacity for great and varied production.

The course of events during the past year has not been favourable to the business of legislation; nevertheless, it was not unmarked by useful enactments; amongst them are amendments of the "Masters and Servants," "Immigration," and "Hospital" Ordinances, subjects which elicited considerable discussion, and respecting which the law can even yet scarcely be considered in an entirely satisfactory shape. Much, undoubtedly, has to be done in the adaptation of laws to circumstances, whether actual or prospective, but the peculiar position of public affairs exercises even in this department a somewhat depressing influence.

In conclusion, while I cannot permit myself to despair of the ultimate prosperity of these communities, which are so far from having reached maturity that they can scarcely be said with truth to have emerged from their primary stage, I must frankly admit myself to be oppressed with the gravest doubts as to their sufficiency, unaided, to carry on and achieve success in the struggle in which they are engaged.

It may be conceded that so far as the general interests of the empire are concerned, it might not much signify whether the soil were in the possession of one particular class or another, whether property were distributed in large masses or small allotments, provided only that production were kept up to its proper level, and the communities were industrious and happy; but the difficulty which presents itself, and which must be got over before we can venture to entertain such an assumption is, how the place of that capital which is now being so rapidly withdrawn, is to be supplied? We have no middle class who can step in and compensate by strict frugality of living and personal exertion in the management of property, for the means of employing the labour of others; and ample evidence is furnished that the most intelligent and steady of the ordinary class of peasantry are not qualified to undertake the task. More time is required to prepare for the safe accomplishment of such a momentous transition, upon the successful issue of which depends, under Providence, not alone the well-being and comfort of the inhabitants of these dependencies, but their usefulness to that empire of which they have been hitherto considered no unworthy or uninteresting portion.

I feel that I ought to apologize for venturing to offer any remarks of my own upon subjects of so deeply important and complicated a character, but it seemed to be my duty not to shrink from avowing, as briefly and as deferentially as possible, the opinions I have been led to form upon questions vitally interesting to a part of the Queen's dominions in which it has been my fortune to spend many years.

W. W.

Appendix, No. 14.

SCHEDULE OF ADDITIONAL DOCUMENTS.

(A.) Return of Estates under Sequestration in Berbice - - - - - - - - p. 310
(B.) Balance Sheet of the Sugar Estate, Herstelling, for 1848 - - - - - p. 310
(C.) Penal Settlement; comparative Return of Commitments 1846, 1847, 1848 - - p. 310
(D.) Berbice Gaol - - - ditto - - - - - ditto - - - p. 312
(E.) Mahaica - - - - - ditto - - - - - ditto - - - p. 315
(F.) Wakenaam and Capoey - ditto - - - - - ditto - - - p. 317
(G.) Comparative Return, Georgetown Gaol, 1846, 1847, 1848 - - - - - p. 319

(A.)

STATEMENT of PLANTATIONS now under SEQUESTRATION in the County *Berbice.*

The undivided moiety of Plantation Bestendigheid.—A coffee estate will most likely be abandoned after the sale. The revenue during the sequestration being $ 199,94, and the expenses $ 87,64.

31 January 1849.

(signed) *L. Houston,*
Administrator-general, Berbice.

(B.)

MEMORANDUM showing the Gross Amount of REVENUE derived from Plantation *Herstelling,* during the Year 1848, the Amount of EXPENSES incurred, and the NET PROFIT to the Estate.

Amount of 283 hhds. sugar - - - - - - - - - - -			$. 15,442 31
Ditto - - - rum - - - - - - - - - - -			8,872 82
Ditto - - - plantains - - - - - - - - - - -			4,878 –
Ditto - - - coffee - - - - - - - - - - -			207 52
	Total Revenue - - $.		29,401 47
EXPENDITURE.			
Ordinary expenses, taxes, salaries to doctor, manager, overseer, and commission.	$. 12,264 48		
N.B. This includes $. 1000. for repairs of stills.			
Wages to head, tradesmen and labourers - - - - -	15,611 99		
N.B. This amount includes the forking of the whole estate, the throwing out the drainage, and putting the cultivation in such an order that the present year 1849 promises a crop of 350 to 400 hhds. sugar.		27,876	47
Sterling - - £. 312 10*s.*	Net Profit - - - $.	1,525	–

Demerary, 30 January 1849.

(C.)

A RETURN of PRISONERS under Sentence of COURTS MARTIAL received at H.M. Penal Settlement in the undermentioned Years.

	Belonging to White Regiment.	Belonging to Black Regiment.	Maximum Period of Imprisonment.	Minimum Period of Imprisonment.
1846	3	5	182 days - -	84 days.
1847	1	4	2 years - -	54 days.
1848	- - -	9	2 years - -	112 days.

(Correct)

27 Februray 1849.

(signed) *William Crichton,*
Superintendent.

RETURN showing the Number of Times the Convicts have been Committed to Her Majesty's Penal Settlement, and their Native Country.

	NUMBER OF TIMES COMMITTED.														OF WHOM, NATIVES OF							
	1st Time.	2d Time.	3d Time.	4th Time.	5th Time.	6th Time.	7th Time.	8th Time.	9th Time.	10th Time.	11th Time.	12th Time.	13th Time.	14th Time.	Total.	British Guiana.	Barbadoes.	West India Islands.	Portuguese.	Africans.	Coolies.	Europeans.	Total.
1846 - - -	141	41	16	11	9	6	7	4	1	1	2	2	–	–	241	161	27	33	5	10	–	5	241
1847 - - -	125	23	13	3	6	2	1	4	4	–	1	–	–	–	182	107	18	31	3	14	8	1	182
1848 - - -	167	26	17	5	1	3	1	1	1	2	1	2	1	1	228	141	24	25	8	16	11	3	228

The military are not included in this Return.

(Correct.)

27 February 1849.

William Crichton, Superintendent.

A RETURN showing the Number of Convicts received at Her Majesty's Penal Settlement in the undermentioned Years, and the Crimes of which they were Convicted; also the Education, and Religious Denomination of those at the Settlement, on the 31st January 1849.

	Murder.	Rape.	Homicide.	Burglary.	Assault.	Forgery.	Theft.	Riot.	Cutting and Wounding.	Embezzlement.	Manslaughter.	Robbery.	Burglary and Theft.	Receiving.	Stabbing and Cutting with intent to Murder.	Larceny.	Trespass.	Killing a Mare.	Conspiracy.	Arson.	Wounding and Killing Oxen.	Uttering False Coin.	Injuring Property.	Escape.	Military.	Total.
1846	1	3	3	3	22	1	186	14	1	–	3	3	–	–	–	–	–	–	–	–	–	–	–	1	8	249
1847	4	5	–	7	19	–	105	10	8	2	1	6	8	1	1	4	–	–	–	–	–	–	–	1	5	187
1848	2	8	–	4	20	1	156	–	6	1	3	1	3	2	–	10	1	1	1	1	5	1	1	–	9	237

	Read and Write.	Read only.	Could do neither.	Total.	Protestants.	Dissenters.	Roman-Catholics.	No Religion.	Total.
31 January 1849 - - - -	13	20	117	150	54	75	14	7	150

(Correct.)

27 February 1849.

William Crichton, Superintendent.

(D.)

No. 1.—NUMERICAL RETURN of Prisoners Committed to the County Gaol, *Berbice*, during the Year 1846.

OFFENCE.	Number.	SENTENCE.						Acquitted, or Discharged on Bail.	NATIVE COUNTRY.							SEX.		OCCUPATION.								Education.		Sent to Penal Settlement.
		Under 2 Months.	2 Months and under 6.	6 Months.	12 Months.	15 Months.	Death.		British Guiana.	West India Islands.	Africa.	Madeira.	America.	Asia.	Europe.	Male.	Female.	Tradesmen.	Labourers.	Domestics.	Seamen.	Shopkeepers.	Idlers.	Hucksters.	Clerks.	Good.	None.	
Adultery	2	—	—	—	—	—	—	2	2	—	—	—	—	—	—	1	1	1	—	—	—	—	1	—	—	—	2	—
Arson	1	—	—	—	—	—	—	1	1	—	—	—	—	—	—	1	—	—	1	—	—	—	—	—	—	—	1	—
Assault	84	71	5	1	—	—	—	7	62	10	10	—	2	—	—	78	6	11	56	10	4	1	2	—	—	4	80	—
Breach of articles	11	11	—	—	—	—	—	—	1	1	—	5	—	—	4	11	—	1	6	—	4	—	—	—	—	1	10	—
Breach of peace	9	8	—	—	—	—	—	1	3	—	6	—	—	—	—	8	1	—	8	—	—	—	1	—	—	—	9	—
Breach Tax Ordinance	9	8	1	—	—	—	—	—	5	1	1	1	—	—	1	7	2	—	6	—	—	—	2	1	—	—	9	—
Debt	5	2	—	—	—	—	—	3	3	—	—	1	—	—	1	5	—	2	—	—	—	2	—	—	1	2	3	—
Destruction of property	6	6	—	—	—	—	—	—	6	—	—	—	—	—	—	6	—	—	5	—	—	—	1	—	—	—	6	—
Disorderly conduct	16	16	—	—	—	—	—	—	5	7	3	—	—	—	1	16	—	—	10	—	2	—	4	—	—	—	16	—
Drunkenness	3	3	—	—	—	—	—	—	—	—	—	—	—	—	3	3	—	—	—	—	—	—	3	—	—	3	—	—
Escaping from custody	7	2	5	—	—	—	—	—	6	—	1	—	—	—	—	7	—	—	6	—	—	—	1	—	—	—	7	—
Furious riding or driving	4	3	—	1	—	—	—	—	4	—	—	—	—	—	—	4	—	—	1	3	—	—	—	—	—	—	4	—
Homicide	2	—	—	—	—	—	—	2	1	1	—	—	—	—	—	2	—	1	1	—	—	—	—	—	—	1	1	—
Ill-treating animals	7	6	—	—	—	—	—	1	4	1	—	—	—	1	1	6	1	—	6	—	—	—	1	—	—	—	7	—
Misdemeanor	3	3	—	—	—	—	—	—	2	—	—	—	—	—	1	2	1	—	1	—	—	—	1	1	—	—	3	—
Murder	1	—	—	—	—	—	1	—	—	—	1	—	—	—	—	1	—	—	1	—	—	—	—	—	—	—	1	—
Negligent use of fire	4	4	—	—	—	—	—	—	4	—	—	—	—	—	—	1	3	—	3	—	—	1	—	—	—	1	3	—
Obstructing police	2	2	—	—	—	—	—	—	1	1	—	—	—	—	—	2	—	—	1	—	—	—	1	—	—	—	2	—
Public nuisance	6	6	—	—	—	—	—	—	4	—	1	—	—	1	—	5	1	—	3	1	—	—	2	—	—	—	6	—
Rape	1	—	—	—	—	—	—	1	1	—	—	—	—	—	—	1	—	—	1	—	—	—	—	—	—	—	1	—
Receiving stolen goods	2	2	—	—	—	—	—	—	2	—	—	—	—	—	—	1	1	—	2	—	—	—	—	—	—	—	2	—
Swindling	2	2	—	—	—	—	—	—	1	1	—	—	—	—	—	2	—	—	1	—	—	—	1	—	—	—	2	—
Theft	201	141	23	18	1	1	—	17	162	15	16	2	—	4	2	186	15	11	152	14	2	—	19	2	1	4	197	13
Trespassing	11	11	—	—	—	—	—	—	7	1	3	—	—	—	—	11	—	—	10	—	—	—	1	—	—	—	11	—
Violent and abusive language	25	24	—	—	—	—	—	1	21	3	1	—	—	—	—	14	11	2	13	5	—	—	5	—	—	—	25	—
Witchcraft, or Obeahism	2	2	—	—	—	—	—	—	2	—	—	—	—	—	—	2	—	—	2	—	—	—	—	—	—	—	2	—
TOTAL	426	333	34	20	1	1	1	36	310	42	43	9	2	6	14	383	43	29	296	33	12	4	46	4	2	16	410	13

Alex. Cameron, Keeper.
Charles Whinfield, Sheriff.

No. 2.—NUMERICAL RETURN of Prisoners Committed to the County Gaol, *Berbice*, during the Year 1847.

OFFENCE.	Number.	SENTENCE.				Acquitted or Discharged on Bail.	NATIVE COUNTRY.							SEX.		OCCUPATION.										Education.		Sent to Penal Settlement.
		Under 2 Months.	2 Months and under 6.	6 Months and under 12.	12 Months.		British Guiana.	West India Islands.	Africa.	Madeira.	America.	Asia.	Europe.	Male.	Female.	Tradesmen.	Labourers.	Domestics.	Seamen.	Shopkeepers.	Idlers.	Hucksters.	Clerks.	Surgeons.	Barrister-at-Law.	Good.	None.	
Arson	3	-	-	-	-	3	3	-	-	-	-	-	-	3	-	-	3	-	-	-	-	-	-	-	-	-	3	-
Assault	90	55	5	1	-	29	61	9	10	1	3	6	-	85	5	4	76	3	3	-	2	2	-	-	-	1	89	2
Breach of articles	10	10	-	-	-	-	-	-	-	-	-	-	10	10	-	-	-	-	10	-	-	-	-	-	-	5	5	-
Breach of contract	9	9	-	-	-	-	9	-	-	-	-	-	-	5	4	-	7	-	2	-	-	-	-	-	-	-	9	-
Breach of peace	14	8	-	-	-	6	13	-	1	-	-	-	-	13	1	1	13	-	-	-	-	-	-	-	-	-	14	-
Breach Tax Ordinance	6	4	2	-	-	-	5	1	-	-	-	-	-	6	-	-	5	-	-	-	1	-	-	-	-	-	6	-
Beastiality	1	-	-	-	-	1	1	-	-	-	-	-	-	1	-	-	1	-	-	-	-	-	-	-	-	-	1	-
Debt	3	-	-	-	-	3	-	-	-	1	-	-	2	3	-	-	-	-	-	-	-	1	-	1	1	2	1	-
Destruction of property	5	3	-	-	-	2	3	-	2	-	-	-	-	5	-	1	4	-	-	-	-	-	-	-	-	-	5	-
Disorderly conduct	15	13	-	-	-	2	6	-	4	-	-	-	5	15	-	-	3	-	12	-	-	-	-	-	-	3	12	-
Embezzlement	1	1	-	-	-	-	1	-	-	-	-	-	-	1	-	-	1	-	-	-	-	-	-	-	-	-	1	-
Endangering property	3	1	2	-	-	-	1	1	-	-	-	1	-	2	1	-	2	-	-	-	1	-	-	-	-	-	3	-
Escaping from custody	5	3	2	-	-	-	4	1	-	-	-	-	-	5	-	3	2	-	-	-	-	-	-	-	-	-	5	1
Furious riding or driving	2	2	-	-	-	-	2	-	-	-	-	-	-	2	-	-	-	2	-	-	-	-	-	-	-	-	2	-
Manslaughter	1	-	-	-	-	1	-	-	-	-	-	1	-	1	-	-	1	-	-	-	-	-	-	-	-	-	1	-
Misdemeanor	6	1	4	-	-	1	4	-	1	-	-	-	1	5	1	-	5	1	-	-	-	-	-	-	-	-	6	-
Obstructing police	3	3	-	-	-	-	2	1	-	-	-	-	-	3	-	1	1	-	-	-	1	-	-	-	-	-	3	-
Public nuisance	5	5	-	-	-	-	1	2	2	-	-	-	-	5	-	-	3	-	-	-	2	-	-	-	-	-	5	-
Swindling	1	-	-	-	-	1	-	-	1	-	-	-	-	1	-	-	1	-	-	-	-	-	-	-	-	-	1	-
Theft	113	83	7	6	2	15	82	5	12	1	1	11	1	106	7	5	90	2	3	-	13	-	-	-	-	1	112	-
Trespass	3	3	-	-	-	-	2	1	-	-	-	-	-	3	-	1	1	-	-	-	1	-	-	-	-	-	3	-
Vagrancy	55	55	-	-	-	-	1	-	-	-	-	54	-	50	5	-	55	-	-	-	-	-	-	-	-	-	55	-
Violent and abusive language	24	22	-	-	-	2	19	-	2	-	1	2	-	14	10	-	17	2	1	-	3	1	-	-	-	-	24	-
Witchcraft, or Obeahism	8	7	-	-	-	1	3	-	5	-	-	-	-	7	1	-	7	1	-	-	-	-	-	-	-	-	8	-
TOTAL	386	288	22	7	2	67	223	21	40	3	5	75	19	351	35	16	298	11	31	—	24	4	—	1	1	12	374	3

Alexander Cameron, Keeper.

Charles Whinfield, Sheriff.

No. 3.—NUMERICAL RETURN of Prisoners Committed to the County Gaol, *Berbice*, during the Year 1848.

OFFENCE.	Number.	SENTENCE.								Acquitted or Discharged on Bail.	For Trial.	NATIVE COUNTRY.							SEX.		OCCUPATION.									Education.		Sent to Penal Settlement.
		Under 2 Months.	2 Months and under 6.	6 Months and under 12.	2 Years.	3 Years.	Transportation for 7 Years.	Transportation for 10 Years.	Transportation for Life.			British Guiana.	West India Islands.	Africa.	Madeira.	America.	Asia.	Europe.	Male.	Female.	Tradesmen.	Labourers.	Domestics.	Seamen.	Shopkeepers.	Idlers.	Hucksters.	Clerk.	Private Soldier.	Good.	None.	
Arson	3	–	–	–	–	–	–	–	–	3	–	3	–	–	–	–	–	–	3	–	–	3	–	–	–	–	–	–	–	–	3	–
Assault	109	90	5	6	–	–	–	–	–	8	–	92	9	7	–	–	–	1	90	19	5	87	3	2	–	12	–	–	–	3	106	2
Breach of articles	6	6	–	–	–	–	–	–	–	–	–	–	–	–	–	1	–	5	6	–	1	–	–	5	–	–	–	–	–	5	1	–
Breach of contract	1	1	–	–	–	–	–	–	–	–	–	–	–	–	1	–	–	–	1	–	–	1	–	–	–	–	–	–	–	–	1	–
Breach of peace	49	4	–	–	–	–	1	–	–	44	–	49	–	–	–	–	–	–	46	3	–	49	–	–	–	–	–	–	–	–	49	1
Breach Tax Ordinance	3	3	–	–	–	–	–	–	–	–	–	3	–	–	–	–	–	–	3	–	–	3	–	–	–	–	–	–	–	–	3	–
Debt	2	–	–	–	–	–	–	–	–	2	–	–	–	–	1	–	–	1	2	–	–	–	–	1	1	–	–	–	–	1	1	–
Destruction of property	8	5	1	1	1	–	–	–	–	–	–	5	1	1	–	–	1	–	7	1	–	6	–	1	–	1	–	–	–	–	8	1
Disorderly conduct	8	7	–	–	–	–	–	–	–	1	–	3	4	1	–	–	–	–	7	1	–	5	–	–	–	3	–	–	–	–	8	–
Embezzlement	2	–	–	–	–	–	–	–	–	2	–	–	–	–	2	–	–	–	2	–	–	–	–	–	2	–	–	–	–	–	2	–
Endangering property	2	–	–	–	–	–	–	–	–	2	–	2	–	–	–	–	–	–	2	–	2	–	–	–	–	–	–	–	–	1	1	–
Forgery	1	–	–	–	–	–	–	–	–	1	–	1	–	–	–	–	–	–	1	–	–	1	–	–	–	–	–	–	–	1	–	–
Homicide	3	–	–	–	–	–	–	–	–	3	–	3	–	–	–	–	–	–	3	–	–	3	–	–	–	–	–	–	–	–	3	–
Misdemeanor	8	7	–	–	–	–	–	–	–	1	–	6	–	1	1	–	–	–	8	–	1	5	1	–	–	–	1	–	–	1	7	–
Obstructing police	1	1	–	–	–	–	–	–	–	–	–	1	–	–	–	–	–	–	1	–	–	1	–	–	–	–	–	–	–	–	1	–
Public nuisance	2	2	–	–	–	–	–	–	–	–	–	–	–	–	–	–	2	–	2	–	–	2	–	–	–	–	–	–	–	–	2	–
Rape	2	–	–	–	–	–	–	–	–	–	2	–	–	–	–	–	2	–	2	–	–	2	–	–	–	–	–	–	–	–	2	–
Receiving stolen goods	3	1	–	–	–	–	–	–	–	1	1	2	–	–	–	–	1	–	2	1	–	3	–	–	–	–	–	–	–	–	3	–
Refusing to work	7	7	–	–	–	–	–	–	–	–	–	5	–	–	–	–	2	–	3	4	–	6	1	–	–	–	–	–	–	–	7	–
Swindling	2	1	–	1	–	–	–	–	–	–	–	2	–	–	–	–	–	–	2	–	–	2	–	–	–	–	–	–	–	–	2	1
Theft	236	154	7	20	–	1	15	3	1	33	2	199	2	10	3	–	20	2	211	25	4	215	2	3	1	9	1	–	1	3	233	23
Trespass	6	6	–	–	–	–	–	–	–	–	–	3	2	–	–	–	1	–	6	–	1	4	–	–	–	–	–	1	–	1	5	–
Vagrancy	2	–	–	–	–	–	–	–	–	2	–	2	–	–	–	–	–	–	2	–	–	–	–	–	–	2	–	–	–	–	2	–
Violent and abusive language	29	26	–	–	–	–	–	–	–	3	–	23	3	2	–	–	1	–	16	13	–	21	4	–	–	4	–	–	–	–	29	–
Witchcraft, or Obeahism	2	2	–	–	–	–	–	–	–	–	–	–	–	2	–	–	–	–	2	–	–	2	–	–	–	–	–	–	–	–	2	–
TOTAL	497	323	13	28	1	1	16	3	1	106	5	404	21	24	8	1	30	9	430	67	14	421	11	12	4	31	2	1	1	16	481	28

Alex. Cameron, Keeper.

Charles Whinfield, Sheriff.

No. 4.—NUMERICAL RETURN of MILITARY PRISONERS Committed to the County Gaol, *Berbice*, by Sentence of Courts Martial, during the Years 1846, 1847, and 1848.

In 1846	18
1847	4
1848	3
TOTAL	25

Alex. Cameron, Keeper.

Charles Whinfield, Sheriff.

(E.)

MAHAICA GAOL.—OLD OFFENDERS.

Number.	NAME.	SEX.		Native Country.	Number of Times Committed.		
		M.	F.		1846.	1847.	1848.
1	April Damon	1	—	Demerara	4	1	4
2	Prince Gould	—	1	Ditto	2	1	1
3	George M'Hardy	2	—	Ditto	1	1	—
4	Wood Ralph	3	—	Ditto	2	1	—
5	John Chester	4	—	Ditto	3	—	—
6	James Edwards	5	—	Barbados	2	—	—
7	Joseph Dunbar	6	—	Demerara	5	-	2
8	Joseph Geddings	7	—	Barbados	4	1	—
9	Oliver Europe	8	—	Demerara	4	-	1
10	Jimmy David	9	—	Ditto	1	4	1
11	Quick Nicluson	10	—	Ditto	3	-	1
12	Old Hope	11	—	Africa	3	—	—
13	Corrender Liverpool	12	—	Demerara	2	2	—
14	De Riter Jack	13	—	Ditto	2	—	—
15	Goodluck M'Inroy	14	—	Ditto	1	1	1
16	John Joseph	15	—	Ditto	1	1	—
17	France Cat	16	—	Ditto	3	1	—
18	Jack Dover	17	—	Ditto	1	1	—
19	Tom Hunt	18	—	Ditto	-	2	1
20	Napolion Chester	19	—	Ditto	1	2	1
21	John Chichester	20	—	Ireland	-	2	1
22	James Daniel	21	—	Demerara	1	1	—
23	Casar Jones	22	—	Ditto	-	2	1
24	William Clark	23	—	Ditto	1	1	—
25	James Adams	24	—	Ditto	1	1	—

21 February 1849.

James Ford, Keeper.

NUMERICAL RETURN of PRISONERS Committed to Her Majesty's Gaol at *Mahaica*, County of *Demerara*, for the Years 1846, 1847, and 1848.

YEAR.	Number Convicted.	OFFENCE.																			
		Assaults.		Thefts.		Threatening and Abusive Language.		Cutting and Wounding.		Receiving Stolen Goods.		Malicious Injury to Property.		Breach of Contract.		Trespass.		Other Offences.		Breach of Gaol Ordinance.	
		M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
1846 -	4,009	59	5	95	4	15	7	1	–	–	–	6	–	95	7	–	–	110	5	–	–
1847 -	395	70	7	63	1	2	3	–	–	–	–	3	–	44	13	–	–	178	11	–	–
1848 -	342	136	3	92	7	7	4	1	–	–	–	3	–	29	7	1	–	48	14	–	–
TOTAL	1,146	245	15	260	12	24	14	2	–	–	–	12	–	168	27	1	–	336	30	–	–

YEAR.	NATIVE COUNTRY.																			
	British Guiana.		Madeira.		Calcutta.		Montserrat.		Africa.		Madras.		St. Kitt's.		Bahama.		Anguilla.		Antigua.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
1846 -	288	24	68	7	7	–	3	1	6	–	–	–	2	–	–	–	2	–	1	–
1847 -	265	24	44	3	12	–	–	–	27	1	19	–	–	–	–	–	–	–	–	–
1848 -	242	14	27	7	5	–	1	–	15	–	28	–	1	–	–	–	1	–	1	–
TOTAL	795	62	139	17	24	–	4	1	48	1	47	–	3	–	–	–	3	–	2	–

YEAR.	RELIGIOUS DENOMINATION.								DEGREE OF EDUCATION.						OSTENSIBLE OCCUPATION.				SENTENCE.			
	Church of England.		Church of Scotland.		Roman Catholic.		Missionary.		Good.		Reading and Writing.		None.		Tradesmen.		Labourers.		Under Two Months.		Above Two Months and not exceeding Six.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
1846 -	30	2	29	2	68	7	159	7	–	–	59	2	347	–	23	–	358	28	390	19	–	–
1847 -	23	3	40	3	44	13	111	5	–	–	47	7	341	–	17	–	343	35	358	35	2	–
1848 -	27	–	39	5	27	7	129	10	–	–	25	3	282	32	25	–	285	32	300	32	–	–
TOTAL	90	5	108	10	139	27	399	23	–	–	131	12	970	32	65	–	986	95	1048	86	2	–

There are a great many of the prisoners who cannot tell what church they belong to.

20 February 1849.

(signed) *James Ford*, Keeper.

(F.)

NUMERICAL RETURN of Prisoners Committed to Her Majesty's Gaols at *Capoey* and *Wakenaam*, in the County of *Essequebo*, for the Years 1846, 1847, and 1848.

YEAR.	Number Convicted.	OFFENCE.																	
		Assault.		Theft.		Threatening and Abusive Language.		Cutting and Wounding.		Receiving Stolen Property.		Malicious Injuries to Property.		Breach of Contract.		Trespass.		Breach of Tax Ordinance.	
		M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Capoey:																			
1846 - -	263	49	14	113	11	26	12	1	–	–	–	7	6	23	1	6	–	4	–
1847 - -	239	93	8	79	3	21	3	–	–	1	2	4	–	21	1	1	–	1	1
1848 - -	244	77	12	68	12	23	12	1	–	–	–	12	1	19	1	2	–	2	2
Wakenaam:																			
1846 - -	134	42	2	54	2	20	3	5	–	–	–	4	–	2	–	–	–	–	–
1847 - -	108	23	1	41	3	11	6	2	–	–	–	4	–	15	2	–	–	–	–
1848 - -	280	39	6	106	11	51	7	4	–	–	–	10	1	37	8	–	–	–	–
TOTAL -	1,268	323	32	461	42	152	43	13	–	1	2	41	8	117	13	12	–	7	3

YEAR.	NATIVE COUNTRY.																			
	British Guiana.		Barbadoes.		Madeira.		Calcutta.		Madras.		Africa.		St. Kitt's.		Bahama.		Anguilla.		Martinique.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Capoey:																				
1846 - -	121	25	31	–	34	1	–	–	12	–	7	1	3	1	4	2	19	–	2	–
1847 - -	67	19	46	22	17	1	20	–	15	–	3	1	–	1	12	1	10	2	1	1
1848 - -	111	24	33	3	2	–	16	–	11	–	19	4	–	–	2	5	12	–	1	1
Wakenaam:																				
1846 - -	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
1847 - -	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
1848 - -	132	42	24	5	7	–	31	4	–	–	24	4	3	–	–	–	1	–	2	1
TOTAL -	431	111	134	30	60	2	67	4	38	–	53	10	6	2	18	8	42	2	6	3

YEAR.	Religious Denomination.								Degree of Education.						Ostensible Occupation.				Sentence.			
	Church of England.		Church of Scotland.		Roman Catholic.		Missionary.		Good.		Reading and Writing.		None.		Tradesmen.		Labourers.		Under Two Months.		Above Two Months and not exceeding Six.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Capoey:																						
1846 - -	172	29	–	-	35	1	13	1	–	–	–	–	–	–	9	–	220	34	230	25	6	2
1847 - -	104	43	–	1	18	2	36	–	2	–	–	–	–	–	12	–	209	18	161	42	34	2
1848 - -	165	35	–	–	13	1	12	–		–	–	–	–	–	9	–	195	40	196	37	8	3
Wakenaam:																						
1846 - -	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	113	9	12	–
1847 - -	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	82	8	16	2
1848 - -	–	–	–	–	–	–	–	–	–	–	–	–	–	–	18	–	205	57	213	54	13	–
TOTAL -	441	107	–	1	66	4	61	1	3	–	–	–	–	–	48	–	829	49	995	175	89	9

10 January 1849.

Edward Carbery, Acting Sheriff.

WAKENAAM GAOL.—OLD OFFENDERS.

—	Name.	Sex.	Native Country.	Number of Times Convicted.		
				1846.	1847.	1848.
1	R. Barnwell	Male		2	—	
2	Bacchus	ditto		2	—	
3	Robert Dawson	ditto		2	—	
4	Hector Cuffy	ditto		2	—	
5	Jimmy	ditto		2	—	
6	Primo	ditto		3	—	
7	James Squirk	ditto		2	—	
8	Spadille	ditto		2	—	
9	Jack	ditto			2	—
10	Paulsonna	ditto			2	—
11	Henry Able	ditto	British Guiana			2
12	William Bowman	ditto	ditto			2
13	Amba Bate	Female	ditto			2
14	Charlotte	ditto	Calcutta			2
15	Mary Frances	ditto	Barbadoes			2
16	Thomas Dunner	Male	ditto			2
17	Henry French	ditto	St. Kitt's			2
18	Stephen Goodman	ditto	British Guiana			2
19	William Greaves	ditto	Barbadoes			2
20	Hill	ditto	British Guiana			2
21	Jacob	ditto	Africa			2
22	Netscher	ditto	British Guiana			2
23	Solomon	ditto	ditto			2
24	Toby	ditto	ditto			2
25	Robert Waldron	ditto	ditto			2

10 January 1849.

Edw. Carbery, Acting Sheriff.

CAPOEY GAOL.—OLD OFFENDERS.

—	Name.	Sex.	Native Country.	Number of Times Convicted.		
				1846.	1847.	1848.
1	Adam Watson	Male	British Guiana	4	—	
2	Mentor Smith	ditto	ditto	3		2
3	Nat Thomas	ditto	ditto	2	—	
4	Petrie	ditto	ditto	2	—	
5	Byron Campbell	ditto	ditto	2	—	
6	Peter Williams	ditto	Bahama	2	2	—
7	Colin Thomas	ditto	British Guiana	2	—	
8	Chance Berbice	ditto	ditto	3	—	
9	Glen Brotherson	ditto	ditto	2	—	
10	John Mike	ditto	ditto	3		3
11	Solomon Lye	ditto	ditto	2	—	
12	Romao	ditto	ditto	2	—	
13	John Ray	ditto	ditto	5	2	—
14	James Colly	ditto	Anguilla	6	2	—
15	Pando Mars	ditto	British Guiana	4	—	
16	February	ditto	ditto	4	—	
17	Norman Alick	ditto	Bahama		2	—
18	Quamy Alexander	ditto	British Guiana		2	—
19	Ance Bongo	ditto	ditto		2	—
20	Gordon Hart	ditto	Barbadoes		2	—
21	Primo Caesar	ditto	British Guiana		3	—
22	Watty Bishop	ditto	ditto		3	—
23	Fortune Nelson	ditto	ditto		2	—
24	Burnett Pito	ditto	ditto		3	3
25	Frank Jones	ditto	ditto		2	—
26	Castillo Bryan	ditto	Anguilla		2	—
27	Henry August	ditto	British Guiana			2
28	Johnstone	ditto	ditto			2
29	Sammy Thomas	ditto	ditto			2
30	Isaac	ditto	ditto			2
31	Sam Cuffy	ditto	ditto	—	—	
32	Collin Morris	ditto	ditto			2
33	James Prowell	ditto	ditto			2

10 January 1849.

Edw. Carbery, Acting Sheriff.

(G.)

NUMERICAL RETURN of PRISONERS committed to Her Majesty's Gaol, at the City of *Georgetown*, in the County of *Demerary*, Colony of *British Guiana*, for the Years 1846, 1847, and 1848.

OFFENCE.

YEAR.	Number Committed.		Assaults.		Thefts.		Abuse.		Cutting and Wounding.		Burglary.		Arson.		Rape.		Murder.		Highway Robbery.		Other Offences.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
1846	1,503	506	217	111	798	61	75	120	–	–	37	–	3	–	8	–	16	–	8	–	341	214
1847	1,388	375	282	90	463	53	7	16	–	–	24	–	4	–	9	–	10	–	3	–	586	216
1848	2,192	430	320	92	1,030	99	106	96	8	3	26	1	8	–	8	–	15	2	3	–	668	137
	5,083	1,311	819	293	2,291	213	188	232	8	3	87	1	15	–	25	–	41	2	14	–	1,595	567

NATIVE COUNTRY.

YEAR.	British Guiana.	Barbados.	Africa.	Bahama.	St. Thomas.	St. Kitt's.	St. Lucia.	St. Eustacia.	America.	Antigua.	St. Martin's.	St. Domingo.	Spanish Main.	St. Bartholomew.	Madeira.	Montserrat.	Calcutta.	Madras.
1846	1,279	207	107	17	8	33	10	3	12	20	7	1	4	3	76	9	18	21
1847	1,019	143	114	12	4	31	1	–	22	18	2	3	3	4	109	7	31	62
1848	1,441	286	218	19	13	23	4	5	10	27	6	2	4	8	183	13	95	134
	3,739	636	439	48	25	87	15	8	44	65	15	6	11	15	368	29	144	217

NATIVE COUNTRY—*continued.*

YEAR.	Tortola.	Trinidad.	St. Vincent.	Anguilla.	Bermuda.	Surinam.	Sweden.	Germany.	Jamaica.	Dominique.	Martinique.	Guadaloupe.	Tobago.	Grenada.	Nevis.	Hanover.	England.	Scotland.	Ireland.
1846	7	7	7	18	7	5	1	1	7	9	1	2	2	3	5	1	43	25	23
1847	9	7	6	12	9	4	2	1	2	7	9	–	4	3	3	2	40	48	10
1848	7	–	4	22	6	–	–	7	1	8	6	5	1	3	5	–	28	14	14
	23	14	17	52	22	9	3	9	10	24	16	7	7	9	13	3	111	87	47

(*continued*)

NUMERICAL RETURN of Prisoners committed to Her Majesty's Gaol, at the City of *Georgetown*—continued.

YEAR.	Religious Denomination.				Degree of Education.						Ostensible Occupation.			Sentence.				Sentence.			
	Church of England.	Church of Scotland.	Roman Catholic.	Missionary and Methodist.	Good.		Reading and Writing.		None.		Tradesman.	Labourers.		Two Months and Less.		Two Months, not exceeding Six Months.		For Years.		For Transportation.	For Life.
					M.	F.	M.	F.	M.	F.	M.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
1846	847	675	171	316	–	–	84	34	1,419	472	312	1,191	506	1,057	506	417	–	48	–	–	1
1847	650	575	180	358	11	–	161	31	1,216	344	359	1,029	375	1,254	343	85	32	34	–	15	–
1848	941	731	239	711	52	–	143	77	1,997	353	451	1,741	430	1,937	421	191	5	56	4	–	8
	2,438	1,981	590	1,385	63	–	388	142	4,632	1,169	1,122	3,961	1,311	4,228	1,270	693	37	138	4	15	9

MILITARY PRISONERS, COURT MARTIAL.

1846 - - - - - - - - - - - -	52
1847 - - - - - - - - - - - -	36
1848 - - - - - - - - - - - -	40
TOTAL - - -	128

RECAPITULATION.

1846: Prisoners in Her Majesty's gaol - - - - - - -	2,009	
„ Military prisoners - - - - - - - - - -	52	
		2,061
1847: Prisoners in Her Majesty's gaol - - - - - - -	1,763	
„ Military prisoners - - - - - - - - - -	36	
		1,799
1848: Prisoners in Her Majesty's gaol - - - - - - -	2,622	
„ Military prisoners - - - - - - - - - -	40	
		2,662
GRAND TOTAL for 1846, 1847, and 1848, Prisoners - - -		6,522

(Examined.)

20 March 1849.

James S. Beamish, Keeper.

Schedule (B.)

No. I.—Estimate of Sugar Crop for 1849, to be made in British Guiana, from Returns of Stipendiary Magistrates, p. 321
No. II.—Return from District (E.) Counties Demerara and Essequebo, for 1848, showing Produce, Cultivation, and Expenses - p. 321
No. III.—Balance Sheet of Estate Het Vergenoegen, on West Coast of Demerara, for the Year 1848 - - - p. 324
No. IV.—Return of Committals before Supreme Court of Criminal Justice, for Demerara and Essequibo in the Years 1847 and 1848 - - - - - - - - - - - - - - - - - - - p. 324

No. I.

AN ESTIMATE of the SUGAR CROP likely to be made in the Year 1849, in the Counties of *Demerara*, *Essequebo* and *Berbice*, in the Colony of *British Guiana*, according to the Returns of the Stipendiary Magistrates, judging from the present appearance of the Cultivation, barring Accidents, and assuming the ordinary Weather to prevail.

Demerara - - - - - - - - - - - -	25,375	Hhds.
Essequebo - - - - - - - - - - - -	13,457	„
Berbice - - - - - - - - - - - -	10,100	„
	48,932	„

No. II.

A RETURN from District (E.) Counties *Demerara* and *Essequebo*, for the Year ending 31st December 1848, showing the Produce made, Cultivation, the Expenses of keeping up the said Cultivation, and the Manufacture of the Produce.

ESTATES.	Number Acres in Cultivation.	Acres Planted this Year.	Acres Cut.	Acres Turned over.	Acres Plantains.	Hhds. Sugar.	Gallons Rum.	Proof.	Gallons Molasses.	Total Disbursement of Labour.
										$
Nouvelle Flanders -	130	None -	81	49	None -	150	8,179	24	14,910	4,221
Haarlem - -	187	40	149	38	- -	188	20,000	18	None -	10,242
Windsor Forest -	200	- -	125	75	36	150	15,000	18	- -	8,200
La Jalousie - -	301	- -	225	76	46	300	36,975	24	4,127	12,006
Blankenburg - -	300	- -	294	6	- -	350	29,000	19	7,000	10,680
Hague - - -	339	59	290	49	- -	364	31,432	18	- -	17,753
Cornelia Ida - -	210	- -	176	34	- -	200	12,000	24	15,000	9,800
Anna Catherina -	235	20	215	20	- -	226	16,000	18	- -	12,800
Edinburg - -	—	—	—	—	—	—	—	—	—	—
Leonora - -	365	36	326	39	- -	570	50,000	19	- -	19,400
Groenveld - -	234	34	180	20	- -	212	17,000	19	- -	8,350
Stewart Ville - -	410	36	330	80	- -	350	30,050	24	- -	14,000
Uitvlught - -	211	12	176	35	- -	308	17,000	24	23,000	11,000
Zeeburg - - -	94	- -	85	9	- -	150	7,180	24	11,100	6,000
William - -	207	19	164	43	- -	280	23,800	18	- -	11,500
Meten Meerzorg -	340	20	306	34	- -	526	35,350	19	7,100	16,000
De Kenderin - -	270	- -	190	80	- -	240	4,000	24	19,843	8,190
Zeelught - -	180	- -	180	- -	- -	163	8,685	18	3,200	6,400
Tuchen De Vrienden	174	11	163	11	- -	237	11,913	18	- -	7,200
Vergenoegen - -	130	10	120	10	- -	160	-	- -	16,000	5,500
Philadelphia - -	150	- -	144	6	- -	124	14,000	24	- -	7,100
St. Christopher -	101	- -	88	13	- -	101	- -	- -	9,200	3,600
Greenwich Park -	No Return.		—							
			4,007	- -	- -	5,349	387,564	- -	130,480	209,936

Jas. S. Beamish,
Late Acting Stipendiary Magistrate District (E.)

Appendix, No. 14.

The foregoing statistical tables relating to the manufacture and cost of manufacture of sugar have been compiled with great care, and may be taken as accurate representations of these subjects, if accuracy be possible of attainment in a colony where a loose and wholesale system of calculation unfortunately prevails to a very considerable extent. In the general case I believe it is better, having furnished the material and vouched for its correctness, for the magistrate of the district upon whom this duty devolves, to leave those whose interest it may be to examine, to draw their own conclusions.

1. But it appears to me that there are peculiarities in the case of District E., such as those of soil, situation, drainage and population, causing results so much at variance with generally received opinion, and with the common condition of other parts of the colony, which make a few observations, if not necessary, at least not out of place.

2. It will be observed, in the first place, that considering the number of estates in cultivation, (22), the population is large. The census of the year 1842 gave the population of the district as 5,734; a number which has rather increased than otherwise by natural causes, and by the influx of creoles from the Essequebo islands and other parts of the colony; while of immigrants there were found 1,895 located on estates in the half-year ending 31 December last, making a total of 7,629, or an average of 346 individuals for each estate.

The number of labourers at work for hire during the half-year ending 31st December is put down at 3,500 in round numbers, upon a calculation based on reports from the various managers of estates, as to their daily average at work; giving 150 labourers for each property, a greater average than that enjoyed by any other part of the colony.

The result of the large population will be seen in the cost of production; labour is continuous, and can consequently be advantageously employed.

3. In the second place, the quality of the soil has to be remarked. Of the whole colony it has been repeatedly proved that the number of acres of canes cut far exceeded the number of hogsheads made.

In District E., however, we have 4,007 acres, yielding a crop of 5,348 hogsheads; or estimating the hogshead at the low average weight of 15 cwt. 8,984,640 pounds; or 1¼ hogshead or 2,100 lbs. of sugar per acre. And this notwithstanding a yield of the canes much below the average of the previous year.

4. Thirdly, the drainage of this coast is, generally speaking, good. Without the outfall which most river estates command, there is seldom any very great inconvenience felt or expense incurred in the removal of sand or mud banks, or in strengthening parapets, from which so much is suffered by proprietors in almost all other coast districts.

5. It will be seen on reference to the tables that at a cost for labour of $209,936 there was made 5,349 hogsheads of sugar, 258,180 gallons rum, proof 18; 129,384 gallons rum, proof 24, and 130,480 gallons of molasses.

Following the usual custom of the colony, a sum equal to the labour account would require to be added to cover the expense of salaries, machinery, stores, &c. &c. Estimating sugar at 12*l.* sterling per hogshead, or in currency at $ 57. 60, rum at an average of 25 cents, and molasses at 10 cents, there would in this way be a loss on the total production of the district of $17,839, which I am perfectly well aware was not and could not be the case.

But my own experience, and the results of the experience and careful investigation of others, lead me to believe that this system of estimating expenditure is extravagant and erroneous. I am inclined to believe, with a recent writer on the subject, that labour stands as about 8.12 of the cost of the elements of production.

Taking the low rates, then, at which we have estimated produce above, and estimating upon this basis, the crop of last year will give us the following result:

Sugar, 5,349 hogsheads, at $ 57. 60		$308,101
Rum, 387,564 gallons, 25 *c.*		96,891
Molasses, 130,480 gallons, at 10 *c.*		13,048
		$ 418,040
Cost of labour, 8.12	$209,936	
Salaries and all other expenses, 4.12	104,968	
		314,904
		$103,136

a sum which, from other calculations, I believe will not be found very far from correct.

7. Deducting the value of rum and molasses from the above cost of production, the average cost of sugar in District E. last year would be a fraction under 2⅝ cents per lb. As several estates are said not only not to have paid, but to have sunk money, sugar must have been made on others at a price which would bid all competition defiance.

8. In

8. In those calculations it must be observed that the average weight of the hogshead is put down much below the real weight of a 42-inch hogshead of good and well-cured sugar of the quality usually shipped from District E. The proportion of strong proof rum is also two to one; and as I believe rum, proof 24, could command during the whole of last year, from 17 to 20 cents per gallon, I would have been nearer the mark in making the average 35 or 40 cents from the price obtained for strong rum in the early part of 1848.

9. On several estates in the district the métairie system has been, and is still being tried, but with very indifferent success. Being a new thing the people entered eagerly into it at first, and following the dictates of their own experience and the advice of their managers, gave great attention to the drainage, weeding, and planting of their first crop, In some instances, the yield from the canes was very great, so much as an average of three hogsheads per acre. Large crops gave large returns, and the negro, only provident for the day, lived upon his abundance and neglected the future. Métairie lands, without an exception, are in a bad state of cultivation, and it is to be feared without a chance of being redeemed. The want of concentration of purpose, of ambition, of care for the future, so eminently distinguishing the negro character, are bars to the successful operation of the system, never, I am afraid, to be got over.

10. One estate in the district, Greenwich Park, is leased by creole labourers, and illustrates forcibly the truth of the above remarks, so far as they relate to the creole when left to himself. Although no rent has been paid for this property, although the buildings were taken over in good order, together with a considerable amount of cultivation, respectable in quality, the property is now fast hastening to a condition of abandonment. The Kokers are neglected, drainage is at an end, the dams are washing away, and by this time next year, in all probability, the cane plant will be on that estate among the things which were.

11. At the end of 1848, estates generally in District E. had mostly recovered the ill effects of the strike of the labourers in the early part of the year. Eleven of the 22 estates not only maintained the cultivation with which they commenced in January, but planted in the aggregate 327 acres of new land. From all I have been able to ascertain, I think it is probable there will be, if not a total, at least a partial abandonment of three estates, but without any diminution of the crop. On the contrary, the estimates furnished me, lead me to believe, that with ordinary weather, and barring accident, the district will ship over 6,000 hogsheads.

12. Plantains are successfully cultivated on three of the estates, and yielded each a small revenue last year, besides supplying the wants of the people. As population increases, this species of cultivation will, in all probability, be materially extended. There is an idea of comfort and plenty associated in the negro mind with a plantain walk, and it is generally observed that there is less shifting and a more settled character among the labourers upon the estates where there is such a thing.

13. As the extent of the crop upon a sugar property depends almost altogether on the available number of labourers, and as the larger the crop the cheaper the production, the fixed expenses remaining always the same, drainage, buildings, manager, overseers, headman, &c. &c., a constant supply of new people, by means of immigration, is a great desideratum in the colony generally, and in this district in particular. The situation is for the most part salubrious, the estates generally gaining in place of losing; most of them in the hands of capitalists possessed of the means of extending cultivation to keep pace with the supply of labour. Eleven of the estates have hospitals, in accordance with the Ordinance No. 4, of 1846, and others are prepared to erect them if the colony is to be again favoured with a further supply of immigrants.

14. On the general condition of the labouring population of the district, little can be added to my former report; commonly they are quiet, peaceable, and industrious. Crime of a serious nature is not on the increase among them; there is no squatting. As in most other parts of the colony, there exists an indisposition among parents to educate their children, arising from their ignorance of the benefits of instruction, and consequent unwillingness to pay for a future advantage of which they themselves cannot partake. Little has been done hitherto, either by preaching or teaching, to convince them how much a duty it is to sacrifice something now for the advantage of the rising generation they are generally so much attached to, and which at no distant day must supplant them.

(signed) *James S. Beamish,*
Late Acting Stipendiary Magistrate, District E.

Appendix, No. 14.

No. III.

ABSTRACT STATEMENT showing the Result of the Administration of the SUGAR PLANTATION Het Vergenoegen, situate on the West Sea Coast of the County of *Demerary*, in *British Guiana*, under the Curatorship of the Undersigned, from the 1st January to 31st December 1848.

REVENUE.		
129 hhds. and 133 barrels of sugar, estimated weight 233,000 lbs., of which 92 hhds. and 133 barrels were sold for		$ 6,531. 55
And the remaining 35 hhds. shipped and valued at $ 50 per hhd.		1,750. –
14,724 gallons molasses sold for		2,114. 23
Rent received		150. –
	$	10,545. 78
EXPENDITURE.		
Ordinary expenses for conducting the estate, and supplies furnished	$ 5,793. 75	
Labourers' wages	5,825. 70	
Interest on advances made for the plantation	274. 66	
Curators' commissions	782. 62	
		12,676. 73
Deficiency	$	2,130. 95

(signed) *John L. Kennedy*, Administrator-General.

No. IV.

BRITISH GUIANA.

STATEMENT of the Average Number of PERSONS committed for Trial before the Supreme Court of Criminal Justice at each of its Sessions held in and for the Counties of *Demerary* and *Essequebo* in 1847 and 1848, distinguishing those committed under each Head of Crimes in the Annual Blue Book.

SESSIONS.	Number of Cases of		Average Number of Cases at each Session,	
	Felony.	Misdemeanor.	1847.	1848.
26 January 1847	23	8	25 ¾	29 ⅓
20 April „	29	3	„	„
20 July „	21	–	„	„
9 November „	19	–	„	„
25 January 1848	13	1	„	„
18 April „	23	7	„	„
18 July „	27	3	„	„
14 November „	43	1	„	„
TOTAL in 1847	92	11		
Ditto in 1848	106	12		
TOTAL	198	23		
23 January 1849	36	5		

Registrar's Office, Demerary and Essequebo,
12 March 1849.

(signed) *W. H. Campbell*,
Clerk of Court.

CONSOLIDATED RETURN, Half Year ending 31 December 1848.

TABLE (A.)

COLONY OF BRITISH GUIANA.

STATISTICAL SUMMARY for the Half Year ending the 31st of December 1848.

POPULATION BY THE LAST CENSUS, 91,945.	Number in this Half Year.	Centesimal Proportion to the Population in this Half Year.	Centesimal Proportion in the (3?) preceding Years.	SUPPOSED CAUSES OF INCREASE OR DECREASE, AND REMARKS.
1. Baptisms - - - - -	1,665	1·81	1·81	- - Mr. Henderson, missionary minister, declines to furnish returns.—*D. M'Lennan.* The Rev. Mr. Scott, of the London Missionary Society, declines to give any returns.—*Jas. S. Beamish.*
2. Marriages - - - - -	290	·31	·29	
3. Burials - - - - - -	1,349	1·46	1·68	- - This return is imperfect; some of the missionary clergymen keep no record of burials.—*C. H. Strutt.*
4. Attendants at churches and chapels of the Church of England.	10,030	11·01	13·68	- - A diminution in the attendance at churches and chapels, owing to the apathetic indifference which the labouring population have shown of late in attending places of worship; an increase however at other places of worship.—*W. H. Ware.*
5. Attendants at other places of worship.	20,694	22·50	21·95	- - 3,000 attend missionary chapels, 215 the Roman-catholic church, and 1,170 the Established Church of Scotland.—*C. H. Strutt.*
6. Children attending day schools	5,616	6·10	7·23	- - Disinclination on the part of parents to pay for their children.—*Jas. S. Beamish.* Decreased from inability to support schoolmaster.—*C. A. Goodman.* A great decrease in the attendance of children; great carelessness on the part of parents the cause.—*J. D. Fraser.* Public education on the decline in country districts.—*W. J. Sandiford.*
7. Children attending Sunday schools.	6,976	7·58	8·30	- - A considerable reduction, owing to the growing neglect of parents.—*J. W. Fraser.*
8. Labourers at work for hire -	34,622	37·65	36·25	- - A decrease in consequence of the wandering habits of coolies; creoles now seeking work at reduced wages, instead of being sought after, showing diminished means of existence.—*D. M'Lennan.* The large number at work in proportion to the population, is to be accounted for by the census having been taken previous to the location of a large number of immigrants.—*J. S. Beamish.* Creoles do not work regularly since reduction of wages.—*C. A. Goodman.* A considerable number employed in the métairie system, or by halves.—*W. J. Brittain.* About 100 labourers are employed on plantain estates, from information readily given by proprietors. Plantation Rossfield realized by sale of plantains 7,000 dollars, Lonsdale 4,025 dollars, and Bellevue, 1,500 dollars.—*C. H. Strutt.*
9. Persons connected with friendly societies.	2,467	2·68	2·70	Three friendly societies in this district.—*W. H. Ware.*
10. Depositors in savings banks -	1,620	1·76	1·80	- 89 for the whole county; members withdrawn deposits in consequence of stoppage of supplies.—*W. J. Brittain.* A decrease of 19; coolies withdrawn their money, alarmed at stoppage of supplies.—*C. H. Strutt.* No increase from want of means.—*D. M'Lennan.*
11. Freeholders - - - -	9,797	10·65	10·82	- - Few if any have become freeholders during the six months.—*J. D. Fraser.*
12. Persons paying direct taxes -	775	·84	·99	

(*continued*)

POPULATION BY THE LAST CENSUS, 91,945.	Number in this Half Year.	Centesimal Proportion to the Population in this Half Year.	Centesimal Proportion in the (3?) preceding Years.	SUPPOSED CAUSES OF INCREASE OR DECREASE, AND REMARKS.
13. Persons living in villages built since emancipation.	33,206	36·11	36·54	Population supposed to be 7,000.—*J. O. L. Mure.* Population in this district, 10,900.—*D. M'Lennan.* Freeholders in villages, considering their position in society, and the numerous advantages they enjoy, are exceedingly independent, and can well afford to be taxed for the support of improvements in their freeholds, without burthening the colony.—*W. H. Ware.* Road wardens, village constables, village schoolmasters, and many other requisites to aid a progressive improvement in civilisation and education are required, and an ordinance to effect these objects at the cost of these villages, I hope to see enacted.—*C. H. Strutt.*
14. Paupers - - - -	1,077	1·17	1·11	Poverty amongst labouring classes unknown.—*W. H. Ware.*
15. Prisoners - - - -	1,786	1·94	2·41	An increase in the number of prisoners.—*J. D. Fraser.*
16. Persons convicted of felonies -	201	·21	·10	Criminal offences have not only increased greatly in number, but crimes of the most aggravated nature, and formerly unknown, have become of frequent occurrence.—*D. M'Lennan.*
17. Persons convicted of assaults -	793	·86	·78	
18. Persons convicted of thefts -	640	·69	1·45	Petty thefts and misdemeanors considerably increased; ascribable to idle and irregular life of the male population.—*W. H. Ware.*
19. Persons convicted of other offences.	1,585	1·72	1·23	- -Considerable increase in the number convicted of offences.—*W. H. Ware.*
20. Total of persons convicted of offences.	2,626	2·85	3·64	Not many, in proportion to population.—*J. D. Fraser.* Increase of crime attributable to ignorance, want of education, and general inclination to idleness by the younger portion of the adult population; dissipation and immorality prevail to a great extent.—*W. J. Sandiford.* Crime is not on the increase amongst the creole or native population; their conduct orderly and satisfactory.—*C. H. Strutt.* Total number of persons convicted last half-year, 321; and in this, 286. Crime is therefore not on the increase in Berbice.—*C. H. Strutt.*
21. Immigrants - - - -	14,768	16·06	—	All immigrants contented and happy.—*D. M'Lennan.* African immigrants introduced into this district, exceeding 1,000, are pretty industrious, and many are regular attendants at churches, chapels, and schools. The few Calcutta coolies are the reverse; few, if any, evince a desire to become Christians.—*C. H. Strutt.*
22. Emigrants - - -	866	·94	—	

Owing to the recent arrival of Stipendiary Magistrate Lavers, and the short time that he has been in charge of District (M.), his return from that district, although attached, has not been included in the Consolidated Table (A.), in consequence of the want of information under the different heads.

S. H. Goodman,
Acting Circuit Stipendiary Magistrate.

The population of British Guiana, by census taken 15th October 1841, was 98,139: namely, in the rural districts, 76,094; towns, 22,045. In consequence of the large number of immigrants imported since 1841 to date, amounting to 31,452, and the natural increase of the creole population, the total population at present may be estimated at 125,000.

S. H. Goodman,
Acting Circuit Stipendiary Magistrate.

CONSOLIDATED RETURN, Half Year ending 31 December 1848.

TABLE (B.)

COLONY OF BRITISH GUIANA.

STATISTICAL SUMMARY for the Half Year ending the 31st of December 1848.

——	In this Half Year.	In the Corresponding Half of the Previous Year.	Increase.	Decrease.	Causes of Increase or Decrease, and Remarks.
1. Wages of field labour per day.	35 *cts.*	39	- -	5 *cts.*	- - The rates of wages stated here, are for the apprenticeship tasks of 7 ½ hours.—*D. M'Lennan.* Reduction caused by depreciation in price of sugar.—*D. M'Leod.* The average rate of wages paid for effective labour, 8 cents., or 4 *d.* sterling per hour.—*J. S. Beamish.* A considerable reduction in wages during the year.—*C. A. Goodman.* Field work generally, finished in 4 or 5 hours.—*W. J. Sandiford.* One estate in this district, Land of Plenty, worked by a large body of labourers for moiety of produce, with satisfaction to proprietors and labourers.—*W. J. Sandiford.* Reduction barely maintained, on majority of estates; wages as formerly, about a guilder a day.—*C. H. Strutt.*
2. Church of England Churches and Chapels.	36	32	- - No returns from districts E., I., and M., for corresponding half year, consequently increase or decrease not known.		- - The only place of worship, connected with the Church of England, in this district, is the parish church.—*D. M'Lennan.* This district not so well supplied with ministers of religion as formerly. St. Clement's Parish, Deutichum Church, and Mara Church, all vacant for a considerable time.—*C. H. Strutt.*
3. Other places of Worship	55	54	- - ditto - -		- - A new church erected on plantation La Retraite, by those people who seceded from the Presbyterian Church, where a minister of the London Missionary Church officiates.—*W. H. Ware.*
4. Schools in connexion with the Church of England.	33	30	- - ditto - -		- - One school closed in consequence of schoolmaster receiving no salary. Number of children attending greatly diminished.—*W. J. Brittain.*
5. Other schools - -	63	63	- - No return from district I., and no returns from districts E., I., and M., for corresponding half year.		A school in connexion with above established.—*W. H. Ware.* The very short time that I have been in my district, will not allow me upon this occasion to offer any remarks grounded on personal observations.—*Robt. G. Lavers.*

7 February 1849.

S. H. Goodman,
Acting Circuit Stipendiary Magistrate.

Appendix, No. 14.

CONSOLIDATED RETURN, Half Year ending 31st December 1848.

TABLE (C.)

COLONY OF BRITISH GUIANA.

STATISTICAL SUMMARY for the Six Months ending the 31st of December 1848.

1.—Improvements in Agriculture and Manufactures introduced in this Half Year:

None.—*G. Ball.*
Improved process of boiling syrup in vacuo, established on plantation Nonpareil.—*Mure.*
No particular improvement; cultivation in better order from the use of the fork.—*D. M'Lennan.*
None.—*A. M. Lyons.*
New process of manufacture on plantation Ruimvild.—*J. MacLeod.*
Plough introduced with great success on plantation Malgré-tout; agricultural fork introduced with great effect.—*W. H. Ware.*
None this half year.—*C. A. Goodman.*
No improvement of any kind.—*J. D. Fraser.*
Nothing under this head.—*W. J. Sandiford.*
None.—*W. J. Brittain.*
The plough used with very great advantage and saving of labour on plantation Providence.—*C. H. Strutt.*

2.—Progress of any Improvements previously reported:

Apparently satisfactory.—*D. M'Lennan.*
None.—*A. M. Lyons.*
Ditto.—*J. MacLeod.*
Ditto.—*W. H. Ware.*
Ditto.—*J. D. Fraser.*
Ditto.—*W. J. Sandiford.*
None whatever; for want of means many estates decline making preparation for crop of 1849.—*Robert G. Lavers.*
At plantation Friends the process of making sugar realizes 19 *l.* to 20 *l.* per hogshead, whilst made in the ordinary way it only yields 10 *l.* per hogshead.—*C. H. Strutt.*
The want of capital prevents the probability of improvement.

3.—Increase or Decrease of Drunkenness, as collected from Observation, from Increase or Decrease in the Number of Licences to retail Spirits, &c.—Specify also the Increase or Decrease of the Practice (if existing) of giving Allowances of Ardent Spirits to Labourers.

Drunkenness has necessarily increased with the increased number of spirit licences; no allowances given.—*G. Ball.*
Increase of drunkenness; no increase of spirit licences; no allowance of spirits given.—*J. O. L. Mure.*
Drunkenness and immorality, as well as crimes in general, on the increase; no allowances given.—*D. M'Lennan.*
This vice not on the decrease; no increase of spirit licences; no spirits given.—*A. M. Lyons.*
Much the same as last year. No spirits given to labourers.—*J. MacLeod.*
Drunkenness much on the increase, grog shops being very numerous. No spirits given.—*W. H. Ware.*
Drunkenness on the increase, owing to the circulation of more money amongst the peasantry. No spirits allowed on estates.—*J. Beamish.*
Decreased considerably. No spirits allowed.—*C. A. Goodman.*
No increase or decrease. No spirits allowed.—*J. D. Fraser.*
No alteration.—*W. J. Sandiford.*
I have no reason to believe drunkenness to be on the increase. No spirits given.—*W. J. Brittain.*
Drunkenness not on the increase, nor spirit licences. The people as a body are sober.—*C. H. Strutt.*
Drunkenness not very general amongst Africans. No spirits given.—*Robert G. Lavers.*

4.—Employment of Children, noting whether any increase or decrease of Children at work is attended by a corresponding decrease or increase of those at School:

A decrease at work, attended by a corresponding increase at school.—*G. Ball.*
Children on estates work pretty regularly, in villages less so. Many in villages neither work nor attend schools.—*J. O. L. Mure.*

Children

Children attending school cannot work on estates in consequence of the distance of the schools from the estate's work.—*D. M'Lennan.*

Children at work on estates on the increase; corresponding decrease at school.—*A. M. Lyons.*

Increase of children at school.—*J. MacLeod.*

Children who are strong enough employed on estates, and cannot therefore attend church.—*W. H. Ware.*

Greater decrease in number attending school.—*J. S. Beamish.*

Few children go to school.—*C. A. Goodman.*

A considerable decrease, owing to carelessness of parents; many idle all day.—*J. D. Fraser.*

More children at work, consequently fewer at school.—*W. J. Sandiford.*

Number considerably diminished, in consequence of salaries to schoolmasters not being paid.—*W. J. Brittain.*

A greater disposition on the part of children to take field work.—*C. H. Strutt.*

5.—Conditions of Tenancy on Estates:

No tenants, as they pay no rent.—*G. Ball.*

A few fields on different estates cultivated on the system of joint-tenancy, tenants receiving half sugar. Owing to the great decrease in the price of sugar, tenants have generally abandoned their farms of late.—*J. O. L. Mure.*

Only 15 acres farmed; produce divided equally.—*D. M'Lennan.*

Monthly rate of wages.—*A. M. Lyons.*

Tenants at will.—*J. MacLeod.*

Labourers on estates enjoy comfortable cottages and provision ground free.—*W. H. Ware.*

Métairie system introduced about five years ago with so much success, has entirely failed, owing to the renters not receiving a remunerative price, in consequence of the reduction in the value of produce consequent on the Act of 1846; they have abandoned their farms, and work as daily labourers on estates.—*W. H. Ware.*

The Métairie system not carried on to any great extent.—*J. S. Beamish.*

Labourers occupy cottages free, so long as they work on estates.—*C. A. Goodman.*

Not charged house rent if they work on estates.—*J. D. Fraser.*

No alteration since last return.—*W. J. Sandiford.*

Tenantry on estates nearly put an end to.—*W. J. Brittain.*

Labourers pay no rent, so long as they work on plantations.—*C. H. Strutt.*

6.—Hospitals, Lunatic Asylums, and other Charitable Institutions:

None.—*G. Ball.*

None in this district except private hospitals for immigrants.—*D. M'Lennan.*

Hospitals in district under Ordinance 4, 1847.—*A. M. Lyons.*

Colonial and Seamen's hospital, Lunatic Asylum, hospital on plantation Penitence, Church and Poor's Fund, Almshouse.—*J. MacLeod.*

No public hospitals, but every estate where immigrants are located has an hospital.—*W. H. Ware.*

Hospitals gazetted for immigrants under Ordinance 4, 1846.—*J. S. Beamish.*

Nearly every estate has a hospital, which is visited by a medical man every 48 hours.—*C. A. Goodman.*

Each estate has a sick house.—*J. D. Fraser.*

Five private hospitals.—*W. J. Sandiford.*

Private hospitals on all estates where immigrants are located.—*W. J. Brittain.*

Poor houses not needed; no paupers, except in the town of Amsterdam, where there is a good public asylum, as also an excellent hospital.—*C. H. Strutt.*

7.—Squatting:

None.—*G. Ball.*

None.—*D. M'Lennan.*

None, but many idlers about town.—*J. MacLeod.*

None.—*W. H. Ware.*

None.—*James S. Beamish.*

None.—*C. A. Goodman.*

Many idlers, but no squatters.—*J. D. Fraser.*

None.—*W. J. Brittain.*

None.—*C. H. Strutt.*

8.—Legislative or Executive Measures needed:

A Trespass and Vagrant Law.—*J. MacLeod.*

Ordinance 3, 1848, scarcely sufficient to protect immigrants from being unnecessarily distressed by managers, on the plea of neglect of duty.—*C. A. Goodman.*

New Road Ordinance.—*W. J. Brittain.*

Appendix, No. 14.

Refers to former remarks. Labourers and Employers' Ordinance, No. 2, anno 1848, requires amending, more especially section 20.—*C. H. Strutt.*

The shortness of time, only three weeks since my arrival in district, will not admit of my offering any remark grounded on personal observation.—*Robt. Lavers.*

7 February 1849.

(signed) *J. H. Goodman,*
Acting Circuit Stipendiary Magistrate.

Appendix, No. 15.

COPY of a DESPATCH from Governor *Barkly* to Earl *Grey.*

(No. 54.)

Georgetown, Demerara, 26 March 1849.

My Lord, (Received 2 May 1849.)

Appendix, No. 15.

1. ADVERTING to the several communications of Lieutenant-governor Walker on the subject of a change in the political constitution of this colony, I have now the honour to enclose for your Lordship's inspection a copy of a scheme for a House of Assembly, submitted to me through the Honourable Peter Rose, on behalf of the elective members of the present Legislature, in the hope that the representative form of government may be adopted.

2. Mr. Rose says in his accompanying letter, "The scheme which I now submit has met the approval of ten-elevenths of the members of the Combined Court, and of the leading members of the reformers. It has been my endeavour to meet the views of my fellow-colonists, as far as is consistent with safety. To have made the franchise low, I consider would be attended with very serious consequences. At a future time modifications may be made, if found necessary." I have every reason to believe that what is stated as to the acquiescence of the reformers in the plan is correct; as before its promulgation the members of the "Constitutional Reform Committee" had intimated a wish to send me a deputation on the subject, but after various communications with Mr. Rose, have apparently abandoned their design.

3. I am sure your Lordship will look upon a plan which thus possesses the unanimous sanction not only of those who are represented in the local legislature, but of the party which has heretofore been most prominent in advocating popular rights, with an earnest desire to be persuaded of its safety and practicability.

4. For my own part, bearing in mind the immense gulf which had heretofore separated these parties, and the very decided opinion as to the impolicy of representative government expressed by the Court of Policy,* exactly three years ago, and since frequently repeated by individual members, I applied myself to its examination with an anxious hope that I should find in the provisions of a measure framed under their joint auspices, a satisfactory solution of those difficulties which, after long consideration of the subject, have ever made me doubt the wisdom of transferring institutions, which have grown with the growth and strengthened with the strength of the mother country, to the normal state of society existing in this colony.

5. It is some disappointment to me therefore to avow that I perceive in the plan rather a studious compromise of party differences than a satisfactory adjustment of popular pretensions. Liberal institutions are ostensibly conceded, but the concession is coupled with such conditions as to limit the result to the admission of the coloured population of Georgetown and New Amsterdam to some small share of political power, now concentred in the Crown and the planters. Ten years ago such a modification of the constitution would have been of considerable importance, but as things now are, the extension of privileges to a class, however influential that class may be, can hardly be considered any approach at all to the principle of representative government, which implies, in the narrowest view, that those who possess property should concur by their representatives in making the laws by which it is protected. To propose that one or more classes of the community should be represented, is in fact tantamount to an admission that the great mass of the people is unfit to be invested with legislative power, and would seem even to constitute a recognition by the Liberals of British Guiana, of the truth of the principle heretofore maintained exclusively by the party with whom they are now allied, that the negro freeholders of British Guiana are not sufficiently advanced in intelligence to use the franchise with advantage to themselves. It proves, at any rate, that the framers of this scheme found it easier to reconcile party differences than to grapple with political difficulties; for, satisfied with the partition of power between themselves, they have left untouched the great obstacle to the introduction of representative institutions into this colony; viz. the fact, that from the high value of mere brute force, ignorance and property here unhappily go hand in hand, whereas in

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* *Vide* Minutes of the Court of Policy, 25 March 1846. "The Court are unanimously and decidedly averse to the establishment of a House of Assembly and Legislative Council, such as exists in the other West India Colonies."

in other countries wealth can only be acquired by skilled labour, and its possession therefore argues some degree of education.

6. That my description is just will be shown by a brief analysis of the details of the scheme. It proceeds on the basis of a Council and Assembly. Of the constitution of the former nothing is said, but the latter is to consist of thirty-nine members; five to be returned by the towns, five by the villages, and twenty-nine by the rural districts. The franchise in the latter is to be the same as that now established for voters for kiezers and financial representatives, in other words, a few leading attornies of absentee proprietors of sugar estates are to continue to elect three-fourths of the Legislature. The qualification in Georgetown and New Amsterdam is likewise to be maintained at its present limits; leaseholders of whatever extent being excluded, as now, from the franchise. The same qualification as in the towns, of a house in fee worth 500 dollars, is to be required from villagers, who are, in addition, to be able to read and write English. The constituency of the twenty-nine members for the rural districts would thus be limited to about five or six hundred electors. The constituency of the towns would amount to about 1,500, while there might perhaps be found two or three in each village, the doctor and one or two storekeepers, to elect the members.

7. Practically the very same parties who choose the elective portion of the Legislature now, would do so then. But there would be this important difference, that the Crown, instead of, as now, being invested with positive legislative authority by means of the preponderance of its officers in the Court of Policy, would possess only the negative power in legislation which it now has in finance, and in place of being able to carry any measure it pleased, would only have the right of rejecting, either in the Council, or through the Governor's veto, any act sent up to it by the House of Assembly.

8. This absolute power of the Crown in the colonial Legislature has hitherto been exercised with a view of protecting the interests of the labouring classes, who are confessedly unrepresented, except through such a medium. During slavery, indeed, it was the only instrument which the British nation possessed of working out its ulterior projects of emancipation. Subsequently to that period, it might, perhaps, have been more conducive to the real prosperity of the emancipated peasantry if the weight of official authority had not turned the scale so frequently against the wishes of the planters. I am, however, decidedly of opinion that it would be imprudent as yet to do more than slightly qualify the power of the executive in matters of legislation, and that it would be most unjust to do even that without at the same time giving those of the labourers, who have acquired a certain degree of education and property, a voice in the making of the laws.

9. I am far from wishing, on the other hand, to exclude the planters from that fair share in the representation to which they are entitled as the landed aristocracy of this country; I do not believe they would be a bit more inclined to abuse power than any other aristocracy; but on the same ground that I should regret to see your Lordship's House the paramount legislative authority at home, should I consider it a fatal error to establish in British Guiana a House of Assembly, three-fourths elected by proprietors of sugar estates, and uncontrolled either by popular responsibility, or by the power of the Crown.

10. Such a change as that now proposed in the constitution of the colony would, moreover, at the present juncture, be attended with peculiar danger, for the imperative necessity of reducing wages, to meet the competition of slave countries, has involved the planter in a struggle with the labourer, calculated to revive feelings of antagonism, which had almost been effaced by the establishment of a settled rate of profuse remuneration. The labour question is still, and must long continue to be, that which will principally occupy the attention of the Legislature of British Guiana, and faulty as the constitution at present may be, I doubt whether such branches of that question as the relations of masters and servants, and the regulation of immigration, are not discussed in the present Court of Policy with more justice to their real merits, than they would be if encountered in the proposed Assembly by the hostility of a small minority, necessarily driven to strengthen itself out of doors by agitating for popular support.

11. For these reasons, though the weight due to the opinions of its projectors, makes it my duty to forward the scheme to your Lordship, I feel bound to advise that most of its provisions should by no means be adopted in the event of any changes being made. What the nature of those changes should be, I will endeavour, to the best of my humble judgment, to point out at an early opportunity.

I have, &c.
(signed) *Henry Barkly.*

SCHEME for a House of Assembly for *British Guiana*, comprised of 39 Members; viz.

5	Members for the villages.
1	Member for New Amsterdam.
4	Members for city of Georgetown.
13	Members for county of Demerary (rural parishes).
9	Members for county of Essequebo.
7	Members for county of Berbice.
39	

The

Appendix, No. 15.

The franchise for the villages to be a house in fee, of the value of $ 500. Voters to be able to read and write English.

The franchise for New Amsterdam to be the same as exists at present in returning members for the Board of Superintendence in that town.

The franchise in the city of Georgetown, the same qualifications as to vote for a town councillor.

Franchise in the rural districts, paying taxes on an income of $ 667.

On paying taxes on the staples of the colony to the value of $ 667. Tax on horses, carriages, or on licences not to be a qualification for a vote, being of a fleeting nature.

Qualification for Members.

Land in fee producing produce to the value of $ 1,440, on which taxes are paid. Or on income amounting to $ 2,400 per annum on which taxes are paid. Persons thus qualified to be eligible to represent any part of the colony without reference to his place of residence.

DISTRIBUTION OF MEMBERS.

County of Demerary.			
Villages:			
The villages extending from Georgetown to Abary Creek	1		
The villages from Georgetown, on the east and west bank of the River Demerary, and the west coast of Demerary to Boraseree Creek	1		
		2	
City of Georgetown	–	4	
Rural Districts:			
Parish of St. Paul's, including the estates from Georgetown to Nooten's Ziul	4		
St. Mary's	2		
St. Matthew's	2		
St. Mark's and St. Swithen's	3		
St. Luke's	2		
		13	
			19
County of Essequebo.			
Villiages of Essequebo	–	1	
Rural Districts:			
Parish of St. James	2		
„ St. Peter's	1		
„ St. John's	2		
„ Trinity	4		
		9	
			10
County of Berbice.			
Villages:			
West coast and west bank of River Berbice	1		
East bank of river and east coast to Corantyne River	1		
		2	
New Amsterdam	–	1	
Rural Districts:			
St. Saviour's Parish	1		
St. Patrick's do.	2		
St. Catherine's do.	1		
St. Clement's do.	2		
St. Michael's do.	1		
		7	
			10
			39

County of Demerary	19	Members.
County of Essequebo	10	ditto.
County of Berbice	10	ditto.
TOTAL	39	

Clergymen and ministers of religion not eligible to represent village, city, town, or rural district, or to have a seat in the council.

(signed) *Peter Rose.*

Demerary, 17 March 1849.

Appendix, No. 16.

RETURNS ordered by the COMMITTEE on 27 March 1849. Appendix, No. 16.

TERMS OF REQUISITION.	ANSWERS.
	CEYLON.
I. Copy of the evidence which Major Layard states was being taken on the 4th August against the King of the district of Kornegalle, and which was to be forwarded to the Governor by the following post, but which is not given in the Return to Parliament. (*Vide* page 185, and Paper marked N.)	I. Not in possession of the Colonial Department.
II. Copy of Lieutenant Annesley's Report of the engagement of the troops under his command with the people at Kornegalle, on the 29th July; and also of the list of killed and wounded on that occasion.	II. Lieutenant Annesley appears from the printed papers not to have been at Kornegalle on the occasion of the disturbance of the 29th, but his reports of August 1st are in the printed Papers, page 183. No other document answering this description is in the possession of the Colonial Office.
	BRITISH GUIANA.
III. A Return of the amount of Crown Revenue actually received in the colonies of Demerara, Berbice, and Essequibo in each year from 1830 to 1848, both inclusive, stating the sources of such revenue, and the amount of such source in each year.	III. The information necessary for this Return is not in the possession of the Colonial Office.

Colonial Office, Downing-street, 24 April 1849. B. HAWES.

RETURN ordered by the COMMITTEE on 29 March 1849.

PART OF TERMS OF REQUISITION.	ANSWER.
Copies of any orders or instruction issued by Earl Grey to prevent any captured Africans being sent to British Guiana, and not already laid before the Committee.	See despatches to Governor Light, 11 June 1848, and 15 July 1848, at pages 170–172 of Parliamentary Paper, No. 749, 1848. Also despatch to Governor of St. Helena, 31 August 1848.—Copy herewith.

COPY of a LETTER from Earl *Grey* to Sir *P. Ross.*

Downing-street, 31 August 1849.

Sir,

I HAVE to request that you will instruct the collector of customs not to forward any more captured Africans from St. Helena to British Guiana until he shall receive authority from me to do so.

You will also direct him not to omit to avail himself of any opportunity that may present itself of sending any that may be placed at his disposal, in rotation, to Jamaica and Trinidad.

I have, &c.
(signed) *Grey.*

Colonial Office, Downing-street, 24 April 1849. B. HAWES.

Appendix, No. 16.

CEYLON.

RETURNS ordered by the COMMITTEE on 3 April 1849.

TERMS OF REQUISITION.	ANSWERS.
I. Copy of the humble petition of Kotmala Unanse, of the Malwete establishment, to Lord Torrington, respecting his property confiscated and sold, and also of the answer thereto by Lord Torrington.	I. Not in possession of the Colonial Department.
II. Copy of the petition of Ratdalgodde Unanse, of the Temple of Kolure, to the same purport, and the answer thereto.	II. Not in possession of the Colonial Department.
III. Returns of all property, lands, and goods sequestrated in the proclaimed districts of Ceylon, as laid before the Legislative Council in October 1848.	III. The information necessary for this Return is not in the possession of the Colonial Department.
IV. Copies of papers or extracts respecting the Indemnity Bill, laid before the Legislative Council, whilst the Bill was in progress.	IV. See page 264 of Ceylon Paper, presented in February last. See also Lord Torrington's "Confidential" despatch, 9th February 1849. (Presented to Select Committee.)
V. Copies of any orders issued as to the mode in which the innocent persons in Ceylon, whose property had been confiscated, should be repaid. (See letter of Lord Torrington of 6th November, page 18, No. 266.)	V. The only information in the possession of the Colonial Office is that contained at pages 264, 5, and 6, of the "Ceylon" Papers, presented February last.
VI. Return of the names and rank of the officers who presided at each of the courts martial held at Kandy, Matelle, Kornegalle and Dumbool, in the Island of Ceyon, stating the names and rank of the officers that constituted each of the courts martial, and also whether on full or half pay; the name of the judge advocate who officiated at each court martial; stating also by whom the sentences were severally approved.	VI. The information necessary for this Return is not in the possession of the Colonial Department.
VII. Copies of the proceedings of the courts martial held at Kandy, Matelle, and Kornegalle, by sentence of which courts eighteen of Her Majesty's subjects were shot to death, stating the dates on which the courts respectively sat, the date of each sentence, and the time of each execution.	VII. The information necessary for this return is not in the possession of the Colonial Department.

Colonial Office,
Downing-street, 24 April 1849.

B. HAWES.

Appendix, No. 17.

Copy of a DESPATCH from Governor *Barkly* to Earl *Grey*.

(No. 56.)

My Lord, Georgetown, Demerara, 3 April 1849. (Received 2 May 1849.)

Appendix, No. 17.

In my despatch of the 3d ultimo, No. 39, I had the honour of explaining to your Lordship my reasons for preferring to await some change of public opinion to running the risk, with the present limited constituency, of dissolving the Financial College on their refusal to proceed with business except in such manner as would constitute a formal recognition of the validity of the vote of the Combined Court of the 20th July last. And on the 7th ultimo, No. 40, in forwarding certain financial returns, I stated that I contemplated suggesting to the latter body to impose a tax on spirits and tobacco, for the special support of the police and gaols.

Vide Appendix, No. 13, p. 286.

2. I have now the honour to report that the usual eight days' notice having been given, I assembled the Combined Court yesterday, with the view of presenting a Bill which had been most carefully prepared by the Acting Attorney-general, for effecting this object.

3. Upon the reading of the minutes of the last meeting, which is done with closed doors, the Honourable Mr. Rose, with the view of justifying the assertion made by the elective members on forwarding to me the document transmitted to your Lordship in my "separate" despatch of the 7th ultimo, attempted to impugn that part of them which stated that I had given the Court an opportunity of adjournment to prepare a reply to my address. The accuracy of the minutes, however, being placed beyond question by the Honourable Messrs. Stuart and Bruce Ferguson, who confirmed what had been written down at the time by the secretary, Mr. Rose developed his plans still further by objecting to any account of what fell either from me or from Mr. Davison and himself being kept on the records of the Court, on the ground that whatever the practice might have been, there was a rule of the Combined Court to that effect.

Vide Copies of original Minutes sent herewith, Nos. 1 and 2.

For Governor Barkly's Despatch, 7 March, *vide* Appendix, No. 13, p. 296.

4. This objection was evidently made in order that by thus confining the minutes of our last meeting to a bare narration of the delivery of my speech and of the subsequent adjournment of the Court *sine die*, it might appear as if I had never invited the members specifically to proceed with the estimate; thus taking advantage of my unwillingness to force the Court actually to a negative vote on the last occasion.

5. On Mr. Rose's succeeding by a majority in expunging from the minutes the account of what occurred, it became necessary for me to change my tactics so far as to prove that the Court did virtually refuse to go on with business, unless every point at issue was conceded, and I therefore got the Attorney-general to propose a formal resolution, that "the Court would now proceed with the estimates, leaving the civil list intact." An amendment was immediately proposed, and, after a very stormy discussion, carried, substituting for the last five words of the resolution, a declaration that the civil list was to remain as carried by a majority of this Court on the 20th July last, as appears by the minute of that date.

6. I have been thus particular in describing what took place with regard to the original minutes, of which I forward a complete copy to your Lordship, because the change in my mode of proceeding, occasioned by the erasure of the greatest portion of them, led to important consequences.

7. Before proceeding, however, to describe these consequences, I ought to mention that the reply of the Combined Court to my speech on the 27th February was read, previously to the Attorney-general's making his motion, and that that motion having been disposed of by the carrying of Mr. Rose's amendment, I addressed the Court at some length in pursuance of my original plan, setting before them the impossibility of my continuing to support the police, gaols, &c., and recommending the imposition of excise duties.

Vide Minutes sent herewith, No. 3.

Vide Enclosure, No. 3*a*, p. 339.

8. Much discussion followed, the elective Members professing their anxiety to go on in terms of the amendment; and I protesting that I would not consent to prejudice the civil list question by doing so in the terms of the resolution they had carried. Finding that the statements in my speech had made an impression on several of the members, I thought it better to adjourn the Court till to-day than to press any further division, satisfied that the more the public had an opportunity of considering the question, the more apprehensive would they grow of the prospect of any diminution of the police force in the present state of the country. Indeed, the news of two fresh murders in Essequebo, and of the labourers having mobbed the attorney and manager of Sheldon estate in Berbice, which had just arrived, had renewed the fears of the inhabitants of this country, where outrages have ceased since the terrible example lately exhibited.

Vide Royal Gazette of 4 April, sent herewith, No. 5.

Appendix, No. 17.

9. Accordingly when the Court met this morning, and a renewed attempt was made by Mr. Rose to commence by the acknowledgment of the vote reducing the civil list, Mr. Croal moved as an amendment, after I had read a minute expressive of my willingness to leave the question of the civil list in *statu quo*, "That this Court do now proceed with the estimate, leaving the question regarding the civil list to remain in the position in which it was placed by the motion carried in the Combined Court on the 20th July last, on which the Court divided."

10. Mr. Croal was seconded by Mr. Brand, another financial representative, and supported by two members of the Court of Policy, the Honourable Messrs. Porter and Gordon, and as this, after deducting official members, only left seven to vote for Mr. Rose's resolution, including the mover and seconder, it would have been in my power to carry the amendment without voting at all, if the collector of customs had not been unavoidably kept away by serious illness. As it was, the numbers being equal, I gave my vote in favour of Mr. Croal's amendment, assigning as my reason, that it would enable me to proceed with the public business.

11. The estimate was then resumed where it was dropped in July last, and after a slight attempt to reduce the amount then voted by the usual deductions on account of salaries to the stipendiary magistrates, and pensions paid by Parliamentary grant, which I successfully resisted, two or three votes of no importance were passed *pro formâ*, and the Court adjourned over the Easter holidays, then to meet for the completion of the estimate, and the provision of the Ways and Means.

12. Points of dispute may still arise, but I think I may safely calculate on settling them by the support of those gentlemen who have, on this occasion, aided in bringing about an accommodation.

13. Your Lordship is better able than I am to appreciate the importance of the occurrences which I have just described, and the motives which influenced my course throughout them.

14. I do not wish to announce the result as a great victory; perhaps the word "truce" would be more applicable. There was a decided advantage, however, in disturbing the unanimity of a powerful party, and in depriving its leader of the *prestige* of success, even if I had had to make concessions for the purpose, which I do not consider I have done. Indeed both the Acting Chief Justice and the Acting Attorney-general having advised me that the course proposed, of leaving the question of the civil list in abeyance, could not in any degree compromise the rights of the Crown, or of those officers on the civil list for whom it acts as trustee, or constitute any recognition of the legality of the vote for its reduction come to by the Combined Court on the 20th July last. I did not feel myself justified in refusing to accept supplies, which the demands upon the colonial chest rendered it a very serious matter to dispense with.

15. I am well aware that your Lordship will view the matter in its true light, and I have only said thus much because I already see a disposition in the conquered party to palliate the consequences of their defeat by representing that concessions were made which were expressly guarded against.

16. In fact the only concession consisted in resuming the estimate at all without a reversal of the vote of 20th July 1848, which it was futile to dream of; but such a concession, in my mind, was more than counterbalanced by the form in which that vote stands on the estimate, which exhibits it clearly as an incomplete vote, accepted on account. The intention of the Combined Court, indeed, must be frustrated under their own vote; for that was to strike 13,000 *l.* off the civil list, leaving applicable to the net amount of 33,750 *l.*, placed on it for salaries, only 20,750 *l.*, instead of 26,072 *l.*, at which the vote actually stands, in consequence of my refusing to permit them to proceed to deduct, as usual, 5,322 *l.*, against payments in aid from the commissariat chest, for the stipendiary magistrates, &c.

17. The result of the whole will be, that the estimated Ways and Means will be voted nominally short by 7,678 *l.*; a sum so trifling as compared to the whole amount to be provided by taxation, that it would be impossible for the Combined Court to make any calculation of revenue sufficiently close to deprive me of the means of continuing to pay it on my own responsibility, until the question can be finally settled, either by Her Majesty in Council, or by Parliament, as is preferred.

18. I can already indeed see symptoms of such a change of feeling on the civil list question in general society out here, that I think there would be little danger in leaving its decision to any assembly more popularly constituted than the present Combined Court, and not so completely identified with, what I trust I may now safely term, the past struggle.

Hoping that your Lordship will be pleased to approve of my humble exertions in the matter,

I have, &c.
(signed) *Henry Barkly.*

(No. 1.)

EXPUNGED MINUTES of Meeting of Combined Court, on the 27th February.

HIS Excellency inquired whether it would be the wish of the Court to adjourn to prepare their reply to his speech, and if so, to what day.

Mr. Davison, financial representative, stated, that the business of the Court need not be delayed, as the reply to his Excellency's speech could be prepared and delivered at some future time. The order of the day being the consideration of the annual estimate, he was ready to proceed therewith. The Honourable Acting Attorney-general stated, that when the Governor should be in possession of the views of the Court upon the propositions submitted in his Excellency's speech, his Excellency would be prepared to determine what further steps to adopt, but that until the reply of the Court to the address was received, the Governor had nothing further to submit to the Court.

The Honourable Mr. Rose stated, that he saw no reason for delay; while differing widely from his Excellency on various subjects adverted to in his speech, and which he should be prepared to discuss at the proper time, his mind was made up to adhere to the decision to which the Court had arrived on the 20th of July, and the first item of the estimate having been then disposed of by the vote of a majority of the Court, he was ready to go on to the next item. He was aware of nothing which had occurred to alter the position in which the Court was placed; that position had been assumed, not from personal pique but from regard to a principle, and by it they were determined to abide.

The Governor stated, that having listened with attention to the sentiments of the gentlemen who had spoken, he felt that he had no alternative but to adjourn the Court *sine die*.

Adjourned accordingly.

(True copy of the expunged portion of the Minute of 27 February.)

W. Walker, Secretary.

(No. 2.)

MINUTES, Combined Court, *British Guiana*, Tuesday, 27 February 1849.

Present:—His Excellency Henry Barkly, Esq., Governor, &c.; His Honour William Arrindell, Acting Chief Justice; the Honourable R. R. Craig, Acting Attorney-general; the Honourable Charles Robinson, Collector of Customs; the Honourable William Walker, Government Secretary; the Honourable James Stuart; the Honourable Peter Rose; the Honourable Thomas Porter, junior; the Honourable John Gordon; the Honourable W. B. Ferguson.

Financial Representatives:—Charles Conyers, v. p.; P. M. Watson, William Davison, John Croal, William Brand, Alexander Duff.

MINUTES of the Proceedings of the Honourable the Court of Policy of the Colony of *British Guiana*, combined with the Financial Representatives of the Inhabitants of the said Colony, at its adjourned Assembly, held at the Guiana Public Buildings, Georgetown, Demerara, Tuesday, 27 February 1849.

THE minute of the Court's proceedings on the 22d ultimo was resumed, and signed.

His Excellency the Governor was pleased to deliver the following speech to the Court.

(For Governor Barkly's speech, 27th February, to the Court of Policy, *vide* Appendix, No. 13, p. 290.)

MEMORANDUM of Corrections to be made in the Speech of his Excellency the Governor to the Combined Court, on Tuesday, 27 F bruary 1849.

THE sum actually expended in 1848, instead of $816,964. 80, should be $751,614. 18; and that the total expenditure would fall far short of that of previous year by upwards of $200,000, should be $267,000; and of that of 1846 by about $320,000, should be $363,000.

(signed) *G. G. Lowenfeld*,
Financial Accountant.

3 March 1849.

In order to admit of the above corrections being made on the original draft of his Excellency's speech, this memorandum is respectfully submitted for his Excellency's fiat.

(signed) *G. G. Lowenfeld.*

(Fiat.)

5 March 1849. (signed) *H. B.*

Appendix, No. 17.

Mr. Conyers, vice-president financial representatives, requested that his Excellency would be pleased to furnish the Court with a copy of his speech, to which his Excellency was pleased to assent.

(The portion expunged by order of the Court on the 2d of April, was inserted here.—*W. W.*, Sec.)

The Governor stated that he had no alternative but to adjourn the Court *sine die.*

Adjourned accordingly.

(signed)	*Henry Barkly.*	*Wm. Bruce Ferguson.*
	William Arrindell.	*Chas. Conyers.*
	Robert R. Craig.	*Wm. Davison.*
	James Stuart.	*Peter M. Watson.*
	Peter Rose.	*John Croal.*
	Thos. Porter, jun.	*Wm. Brand.*
	J. Gordon.	*A. Duff.*

(True copy.)

W. Walker. Secretary.

(No. 3.)

Minutes, Combined Court, British Guiana, Monday, 2 April 1849.

Present: His Excellency Henry Barkly, Esq. Governor, &c.; His Honour Wm. Arrindell, Acting Chief Justice; the Hon. R. R. Craig, Acting Attorney-general; the Hon. Wm. Walker, Government Secretary; the Hon. Jas. Stuart; the Hon. Peter Rose; the Hon. Thos. Porter, jun.; the Hon. John Gordon; the Hon. W. B. Ferguson.

Absent: The Hon. Chas. Robinson, Collector of Customs.

Financial Representatives: C. Conyers, P. M. Watson, Wm. Davison, John Croal, Wm Brand, and A. Duff, Esqrs.

Minutes of the Proceedings of the Honourable the Court of Policy of the Colony of British Guiana, combined with the Financial Representatives of the inhabitants of the said Colony, at its Annual Assembly, held at the Guiana Public Buildings, Georgetown, Demerara, Monday, 2 April 1849.

The minute of the Court's proceedings on the 27th February last was read; on coming to the paragraph stating that Mr. Conyers, as vice-president of the financial representatives, applied for a copy of the Governor's speech, to which his Excellency was pleased to assent.

The Hon. Mr. Rose moved, seconded by Mr. Duff, that the remainder of the minute to the concluding paragraph, stating the adjournment of the Court *sine die*, be expunged.

The Court divided:

Yea.	Nay.
Mr. Duff.	Mr. Brand.
Mr. Davison.	Mr. Croal.
Mr. Watson.	Government Secretary.
Mr. Conyers.	Attorney-General.
Mr. Gordon.	Chief Justice.
Mr. Ferguson.	
Mr. Porter.	
Mr. Rose.	
Mr. Stuart.	

Motion carried.

The minute was then resumed, and signed, after amendment, in accordance with the previous motion.

The address of the elective members of the Court of Policy and financial representatives in reply to the Governor's speech to the Combined Court, on the 27th February last, was read by the Honourable W. B. Ferguson.

Ordered, that the address be placed upon the minutes.

Reply

(No. 3*a*.)

REPLY of MEMBERS of the Combined Court, 6 March 1849, to the Governor's Speech.

Vide Appendix, No. 13, p. 296.

The Honourable the Attorney-general moved; Chief Justice seconded,

That the Court do now proceed with the Estimate, excepting the item of the Civil List, which must remain intact.

Moved by Honourable Mr. Rose; seconded by Honourable Mr. Stuart, as an amendment,

That all the words in the original motion after "Estimate," be struck out, and the following substituted: "The Civil List to remain as carried by a majority of this Court on the 20th July last, as appears by the minute of that date."

On which the Court divided:

Yea.	Nay.
Mr. Duff.	Government Secretary.
Mr. Croal.	Attorney-General.
Mr. Brand.	Chief Justice.
Mr. Davison.	
Mr. Watson.	
Mr. Conyers.	
Mr. Ferguson.	
Mr. Gordon.	
Mr. Porter.	
Mr. Rose.	
Mr. Stuart.	

Amendment carried.

Original motion put, and lost.

The Governor was pleased to deliver to the Court the following speech:

ADDRESS of the GOVERNOR to the Combined Court.

"Honourable Gentlemen of the Court of Policy,

"Gentlemen Financial Representatives,

"I did not summon you to-day with the view of entering into a discussion of the points raised in the reply just read to my speech at the last meeting of the Combined Court, still less with the expectation of prevailing on you to depart from the line of conduct respecting the Civil List, to which you now so deliberately declare your intention of adhering.

"You refuse to proceed with the Estimate, reserving the Civil List question for future consideration on its own merits.

"You decline to submit that question in the formal and constitutional manner I recommend, to the decision of the Ministers of the Crown, with a view of obtaining the desired reduction; you prefer an appeal to the High Court of Parliament. I can only await with deference the judgment of that august tribunal.

"I intend to refer to but that one passage in your reply, wherein you tell me that my warning not to withhold, on any plea whatsoever, the requisite provision for the maintenance of peace and order, is unnecessary, because you have always evinced the most anxious desire to provide the means for that purpose. I am about to demand a practical proof of the sincerity of the sentiment expressed in that passage. Months may elapse before Parliament can turn from the multiplicity of domestic business to the consideration of the affairs of this particular colony. The result of their deliberations cannot, at earliest, become known to us sooner than June or July.

"How are the gaols, the police, the public hospitals, and the poor, to be in the meantime supported?

"You are well aware that even if I had the power of applying such funds as may come into my possession to the exclusive support of these establishments, the amount would be perfectly inadequate. You know, moreover, that even if no Civil List existed, I could not legally divert these funds from the security of the immigration loan to any other purpose.

"I am at loss to conceive, therefore, on what plea a refusal to vote, pending the Parliamentary inquiry into your grievances, the sums requisite for such all-important objects, could be justified.

"You conscientiously believe, no doubt, that the Secretary of State has, as you allege, stopped the supplies, and that you are anxious to grant them.

"As public men, you must be prepared, however, to be judged by your acts, not by your words; by arguments, not by assertions.

"It is vain to charge the Secretary of State with stopping the supplies, unless you admit his right to raise them, and you yourselves would be the first to protest against taxes being levied in this colony by any other authority than your own.

"If I am driven, through want of funds, to close the gaols and hospitals, and to disband the police force, be assured that the Combined Court, who alone possess the power of voting the money, will alone be held responsible for its non-provision.

Appendix, No. 17.

" The present crisis, as you well know, is most unadvisedly chosen for depriving the colony of an effective system of administering the criminal law.

" Whether from the idleness generated by the strike against a reduction of wages, or from an anticipation of a decrease in our penal establishments, consequent upon the stoppage of the supplies, a most alarming tendency to crime has, within the last six months, manifested itself.

" I fear this tendency is chiefly referable to the latter cause, because, during the first nine months of last year, despite the struggle about wages, the number of committals for felony to the Supreme Criminal Court was smaller than in the corresponding period of 1847; whilst at the first session after the supplies were stopped it more than doubled, and at the January Court was very much greater than it had ever been before.

" I deeply regret to add that the number of prisoners to be tried at the ensuing court is unusually large, and that every week adds to the list of atrocious outrages.

" In the same way with regard to the gaols, I refer you to a statement of the number of prisoners on the 1st January 1847, on the 1st January 1848, and on the 1st January 1849, showing a lamentable increase of crime at the latter date.

" These figures need no comment. I recommend them to your serious consideration, and shall only add a few remarks on the financial part of the question.

" The money actually expended on the police, the gaols, and the hospitals in 1848, was 302,075 dollars 90 cents; the arrears to 31 December amounted to 15,357 dollars 40 cents; making a total of 317,433 dollars 30 cents. By exercising, however, a vigilant economy, I have already effected important reductions in these branches of expenditure, and trust, notwithstanding the increased extent of crime, that further saving may be possible.

" I estimate, therefore, that 135,000 dollars will suffice to defray these charges during the six months ending 30th June next, making, with the arrears of 1848, 150,000 dollars. As to the source from which such a sum could be derived, I stated, when I last addressed you, that a duty on foreign spirits was for several reasons highly expedient, and I now lay before you a return of the comparative quantities imported before and after the expiration of the tax ordinance, both of spirits and of wine and tobacco. What the stocks on hand of these articles are at the present moment our Custom-house records afford no means of ascertaining; but as prices have fallen very little in spite of the diminution of duties, the consumption need not be estimated at much above the previous average.

" Computing the stocks according to such data, the former rates of duty, if imposed upon them, might possibly yield from 220,000 to 230,000 dollars, or quite enough to provide for the police, the gaols, the hospitals, and the poor, up to the 30th June 1849.

" It must be borne in mind, however, that in no former period have these duties amounted to nearly half this sum, and that re-exportation will probably take place to a very large extent if they are now reimposed.

" At all events, if such a tax be granted, I am ready to pledge myself solemnly not to apply the proceeds to any other services than those above enumerated. Even with this proviso, I dare say that my motive in urging you to this partial restoration of taxation will be misrepresented. No doubt it will be beneficial to the colony to recover some part of the revenue of 564,350 dollars 14 cents, which will otherwise, according to a statement I have had prepared, have been sacrificed during the last six months; but so far from the course I suggest being advantageous as regards the Civil List, the funds destined for its payment will actually be diminished to the extent of 2 ½ per cent. now paid into the colonial chest upon the value of those articles.

" Were your policy, indeed, intended to embarrass me personally, or to increase the confusion of affairs, I can readily conceive that to supply money for any purpose, or on any terms, might interfere with it; but as your object is merely to obtain the opinion of Parliament upon a particular question, I see nothing to be gained by thus jeopardizing the existence of institutions on which the lives and properties of Her Majesty's subjects depend.

" I have done my duty in making this last effort to awaken you to the importance of the subject, and I now leave it in your hands, in the confident hope that you will allow no considerations whatever to stand in the way of your adopting measures so imperatively required by the public weal."

After some discussion the Court adjourned to Twelve o'clock to-morrow.

(signed)

Henry Barkly.	*William Bruce Ferguson.*
William Arrindell.	*Charles Conyers.*
Robert R. Craig.	*Peter M. Watson.*
James Stuart.	*John Croul.*
Peter Rose.	*William Davison.*
Thomas Porter, jun.	*William Brand.*
J. Gordon.	*A. Duff.*

(True copy.)

2 April 1849.

W. Walker, Secretary.

(No. 4.)

MINUTES, Combined Court, *British Guiana*, Tuesday 3 April 1849.

Present:—His Excellency Henry Barkly, Esq., Governor &c.; His Honor William Arrindell, Acting Chief Justice; the Honourable R. R. Craig, Acting Attorney-general; the Honourable William Walker, Government Secretary; the Honourable James Stuart; the Honourable Peter Rose; the Honourable Thomas Porter, junior; the Honourable John Gordon; the Honourable W. B. Ferguson.

Absent:—The Honourable Charles Robinson, Collector of Customs.

Financial Representatives:—Charles Conyers P. M. Watson, William Davison, John Croal, William Brand, A. Duff.

MINUTES of the Proceedings of the Honourable the Court of Policy of the Colony of *British Guiana*, combined with the Financial Representatives of the Inhabitants of the said Colony, at its Annual Assembly, held at the Guiana Public Buildings, George Town, Demerary, Tuesday, 3d April 1849.

THE minutes of the Court's proceedings of yesterday was resumed, and signed.

The Honourable Mr. Rose delivered in a written paper, containing his remarks upon the speech made by his Excellency to the Court yesterday, and desired that such paper should be inserted in the minutes.

Ordered accordingly.

Mr. *Rose's* Address.

Sir,

IT is with feelings of regret and disappointment that I address your Excellency on the present occasion. I regret that the sentiments expressed in the address you delivered to the Court yesterday should have rendered it necessary for me to declare my dissent from the sentiments expressed in that address. The address was read by your Excellency after the Court had entered on the business of the day, after a motion had been made by Her Majesty's Attorney-general, on which an amendment was moved and carried. Sir, the tendency of the motion of the Attorney-general was such as, if it had been affirmed, would have entirely stultified the members of this Court, and rescinded, by a side wind, the vote of this Court of the 20th July 1848.

Your Excellency states that we refuse to proceed with the Estimate, reserving the civil list question for future consideration on its own merits; from this statement I dissent. The civil list question has been before Her Majesty's Government for upwards of 12 months, and I maintain that the vote of the 20th July 1848 disposed of that question. Sir, it stands on the records of the Court of Policy, that Her Majesty's Government has violated the Civil List Ordinance; therefore it is no longer binding on the colony.

Your Excellency further tells us that we decline to submit that question in the formal and constitutional manner which you recommend, to the decision of the Ministers of the Crown. I cannot believe that your Excellency intended to insult the elective members of the Court by this recommendation; but looking at the conduct of the Ministers of the Crown towards this colony, and knowing that the case was before them since February 1848, you must indeed have a very poor opinion of our judgment, to suppose for one moment that we would leave the decision of the question to Her Majesty's Secretary of State, knowing, as we do, his opinions on the question.

Your Excellency asks, how are the gaols, the police, the public hospitals, and the poor to be in the meantime maintained? To this I answer, that the supplies for these establishments will be furnished on the faith of the colony. The contractors, I feel assured, will continue to furnish the supplies for the hospitals, the gaols, and the poor, until funds are raised. You have, sir, the means of paying the police and the servants of the other public institutions within your own power, for on the 31st March there was in the public treasury 100,000 dollars. You tell us that, as public men, we must be prepared to be judged by our acts, not by our words: we are prepared to be so judged. The amendment carried in Court yesterday will demonstrate that it is not the elective members of the Combined Court who impede the public business, but your Excellency, by endeavouring to set aside a solemn recorded vote of this Court, and that merely to ensure exorbitant salaries for the public functionaries on the Civil List.

Sir, if it be your pleasure to close the gaols, hospitals, and disband the police, when there exists no necessity for such measures, it will be your own act, and on your own responsibility.

Appendix, No. 17.

The increase of crime is to be attributed to other causes than those to which you refer; I unhesitatingly assert that the principal causes have been the lax administration of justice, and the laws not being duly enforced by the executive.

I will not follow your Excellency through the long array of figures with which you have favoured us; at the proper time we will be able to test their correctness. Nor will I stop to discuss the merits of the excise tax you recommend; this is not the time to enter into that subject; but I would remind your Excellency that the Estimate for the year 1848-49 was submitted to this Court on the 20th April 1848; that a vote on the first item was taken on the 20th July following; therefore any attempt on your Excellency's part to withdraw the Estimate now will be illegal, and contrary to the practice of this Court.

Sir, for your Excellency personally I entertain the greatest respect and esteem, and I declare that in no instance since this unfortunate difference arose have I been actuated by a desire to embarrass the executive; my sole aim has been to deal out equal justice to all classes of the public servants, without reference to their being on the Civil List or on the annual estimate, and to reduce the expenditure of the colony in some proportion to our diminished resources. Sir, to evince my sincerity, I now inform you that I am ready to proceed with the Estimate with all possible expedition; and when that is passed, I am prepared to enter on the consideration of the ways and means, and to raise the necessary funds to defray the public expenditure. If therefore, any of the evils which your Excellency has foreshadowed, take place, on your Excellency alone will the responsibility rest. I request that these my sentiments, however imperfectly expressed, may be placed on the minutes of the day.

3 April 1849.

The Honourable Member then moved, seconded by the financial representative Mr. Davison, that the Court proceed with the Estimate.

His Excellency the Governor then read the following Minute:—

"I have to inform the Court that I adhere to the resolution announced to them yesterday, of declining to accede to the terms stated in the amendment of the Honourable Mr. Rose as those on which the Court would consent to proceed with the Estimate. I am still willing to agree to the substitution of the words suggested by myself, with a view of leaving the question of the civil list "in *statu quo*;" but if that course does not meet the pleasure of the Court, there exists no alternative to a fresh adjournment but in the proposal which I yesterday recommended in my address, viz. to impose certain duties specially destined for the support of the police, the gaols, the hospitals, and the poor.

(signed) "*Henry Barkly.*"

Mr. Croal, financial representative, moves an amendment; Mr. Brand, financial representative, seconds,

That this Court do now proceed with the Estimate, leaving the question regarding the Civil List to remain in the position in which it was placed by the motion carried in the Combined Court on the 20th July last; on which the Court divided:—

Yea.	Nay.
Mr. Brand.	Mr. Duff.
Mr. Croal.	Mr. Davison.
Mr. Gordon.	Mr. Watson.
Mr. Porter.	Mr. Conyers.
Government Secretary.	Mr. Ferguson.
Attorney-General.	Mr. Stuart.
Chief Justice.	Mr. Rose.
Governor.	

His Excellency the Governor stated his reason for voting for the amendment.

The Governor stated that he felt bound to decide in favour of the amendment moved by Mr. Croal, as it would enable him to proceed with the public business, instead of compelling him to adjourn the Court "*sine die*," as he should feel it his duty to do if the original motion were carried.

(signed) *Henry Barkly.*

Amendment carried.

The Court then proceeded to the order of the day; namely, the annual Estimate.

The

The Civil List item having been read as extended provision, per vote of 20 July 1848, 26,072 *l.* at 4 *s.* 2 *d.* to the dollar, $117,945. 40.

The next item was then read:—Annuities:

Joseph Packwoad	$381
Alexander	138
Mr. Halliday, annuity	120

The Honourable Mr. Rose requested that the secretary might be authorized to give off extracts of to-day's minute, without resumption; also to give a copy of the minute of yesterday's proceedings.—Ordered accordingly.

The Court adjourned to meet on Wednesday, the 11th instant, at Twelve o'clock.

(True copy.)

W. Walker, Secretary.

(No. 5.)

From the Demerara "Royal Gazette," 4 April 1849.

COLONIAL LEGISLATURE.

Combined Court.

Guiana Public Buildings, Monday, 2 April, 1849.

The court was opened to-day at about a quarter to two o'clock, the collector of customs being the only member of the Court of Policy absent. All the financial representatives were in their places.

On the doors being thrown open we found Mr. Rose upon his legs, but from the rush of the spectators into the hall, it was impossible to hear the first few sentences which he uttered. He said, in reply to the communication which the elective members addressed to your Excellency, we have received a letter from your Excellency, in the latter part of which your Excellency expresses yourself thus. [The honourable member here read a passage from a paper which he held in his hand.] Now, I hold in my hand the concluding paragraph of the letter addressed to your Excellency; and it in effect requests that your Excellency would be pleased to allow our reply to be placed upon the minutes of the Combined Court. At the time the elective members made this request, they were perfectly aware that the reply could not be placed upon the minutes before the meeting of the court. They did not wish your Excellency to do anything that was contrary to the rules of the court. But I must be allowed to say, that there appears to me to be some misapprehension on another point in your Excellency's letter. Your Excellency states that the court is not in session. I beg to say, I differ from you on that point. I say, that the Combined Court has been in session since the 20th July 1848. It has continued from that day in session until the present day. But I do not wish to raise any discussion on that point. I have only stated my opinion upon it; and I now propose that the reply of the Combined Court to your Excellency's address be placed upon the minutes. My honourable friend Mr. Ferguson will read it.

The *Governor* rose and said,—Perhaps I will be allowed to make one observation in reply to what has fallen from the honourable member. I consider that the Combined Court has no existence, except when assembled in this form; and I can have no occasion to communicate with any honourable members under the designation of elective members, except when in attendance here in court.

Mr. *Ferguson* then read the reply of the Combined Court to his Excellency's address on meeting the Combined Court. This document has already been published.

Attorney-General.—I am induced, principally from one or two observations which have fallen from my honourable friend who has read the address, to make a proposition, which these observations will justify, in order to give him and honourable members forming this court the opportunity which they seem so anxiously to desire to have afforded to them; namely, of proceeding with the public business. I shall, therefore, without making any allusion to the speech which has been read in reply to your Excellency's, confine myself simply to making the motion, that this court do now take up the estimate and proceed with the business of the country, leaving the item of the civil list, of course, as it now stands, intact.

Mr. *Rose.*—Perhaps my honourable friend has forgotten that a motion has been made to put the reply upon the minutes.

Attorney-General.—Oh, very well.

The reply was ordered to be placed upon the minutes.

Attorney-General.—I now move that this court proceed with the estimate, except the item of the civil list.

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Mr. *Rose* attempted to address the court.

Mr. *Ferguson*.—The motion has not been seconded.

Chief Justice.—I second it.

Attorney-General.—Of course, I add, except the civil list, which must remain intact.

Mr. *Rose*.—May it please your Excellency. The motion that is now before the court, moved by my honourable friend on the right, is one which, in the language of the Chief Justice, I should say, is intended to entrap this court. It is intended for nothing else. But, I say, we are wide away. We are not to be taken by surprise. We have come here prepared to discuss the estimate, and everything connected with it in a free and open manner. But there is a little reservation here that greatly surprises me. The civil list must remain intact. If my honourable friend will explain what he means by that, I for one am prepared to go on with the estimate. If he means that the vote of the Combined Court of 20th July last shall be upset, that 39,000 *l.* instead of 26,000 *l.* shall be the sum of the civil list, I join issue with him at once. I will adhere to the vote of 20th July last. If that be the meaning of the word intact, I will oppose it. We have not been fighting the battle of justice so long to be now overthrown with a mere phrase. We are ready, and we have always been ready to go on with the estimate; but we cannot admit this technical phrase, to keep the civil list intact. It has been reduced by our vote; and by that vote we will abide; by that vote we will stand or fall. Our fate will soon be decided now. Our case is before Parliament. We have waited long enough for redress, and we will wait a little longer. Whatever may be the result, we will wait and see it. But we will maintain to the last what we conceive to be our just rights; and if those are not guaranteed us, we will abide by our first decision. Are the officers on the civil list alone to be exempt from the suffering which is endured by all members of the community? Are they to reap the harvest, without having sowed the seed? It is monstrous to suppose that the gentlemen on the civil list alone should derive their emoluments undiminished when the substance of everybody else is going to decay; when other people are hardly able to support their families, and many know not where to get a dollar from to buy a dinner. I am perfectly willing, and I am sure these gentlemen around me are willing also to go on with the estimate, taking it up from where we left it on 20th July last, when the motion was put upon the civil list, and was carried by a majority that it should be reduced. But I must first obtain from my honourable friend a satisfactory explanation of the word intact. I beg, therefore, to move an amendment on the motion of the Attorney-general, that the word intact be expunged.

Mr. *Stuart*.—I think my honourable friend does not go sufficiently far in his amendment. He ought to go farther, and state that the civil list should remain where it was fixed by the vote of 20th July.

Mr. *Rose*.—Well, that is what I propose to do. I move that the civil list do remain on the estimate as it was voted on the 20th July last, as it appears on the minute of that date. With that amendment I am prepared to go on with the public business.

Mr. *Stuart*.—I second that amendment.

Mr. *Gordon*.—I am against the proposition of the Attorney-general, because I consider there is no necessity for it. On 20th July last, your Excellency's predecessor, Lieutenant-governor Walker, was instructed by the Chief Justice, that it did not matter what vote this court came to, and that the vote to reduce the civil list was utterly worthless. If that be the case, the civil list must remain intact until the decision of Parliament be known; and in the meantime, if your Excellency has the power to put your hand into the public chest and take out the money, you are at liberty to exercise that power.

Governor.—With a very slight alteration in the phraseology of the amendment, I shall have no objection to it. I am willing to leave the civil list in the position in which it was placed by the vote come to on the 20th July last, and I shall be prepared to abide by the decision of Parliament on the subject; but it must be recollected that I have all along contended that this court had no authority to interfere with the civil list. With that alteration, however, in its wording, I am willing to admit the amendment.

Mr. *Rose*.—You admit the amendment! But I say, any motion put in this court and seconded, and carried, must be binding. If the motion was illegal it ought at the time to have been stopped; but having been carried (I speak advisedly), it is a valid and binding decision. I know that we attempted before that to bring in another motion, and we were not permitted, but on this occasion, for what reason I know not positively, although I have my own idea on the subject, we were allowed to put the motion to the vote. I believe that it was not expected that the result would be what it actually proved. But, at all events, the motion having been carried, this court is bound by the vote as much as by any other vote which it may come to, and whatever may be the opinion of your Excellency's legal advisers, with all due respect to them, I say, if one shilling is expended for the civil list, more than is sanctioned by that vote, those who expend it will be responsible for it to the colony.

Governor.—I should be glad to go on with the public business, provided there be no interference with the civil list.

Mr. *Davison*.—I shall support the amendment. I cannot understand why a vote of this court,

court, which has been already brought before it three or four times, should now be rescinded. If there is any illegality in the vote of 20th July last, then I say every vote come to by this court is illegal. The court came to that determination after the most mature and anxious deliberation. It has frequently been before us since it was come to, and on each occasion it has been confirmed. I am ready now to go on with the business of the country, taking up the estimate where we then left it. If this court has any power at all, it has exerted that power, and finally disposed of the civil list. I am ready to go on to the next item of the estimate, and to give to each item all the consideration which it deserves, reducing where reduction is required, and leaving intact such items as do not require to be reduced at all.

Mr. *Croal.*—I consider the proposition a very fair one—that the civil list item should stand as it was voted by the court in July last, leaving the question of the legality or illegality of that vote to be settled hereafter. We do not know what the decision upon that question will be. But leaving that question to be decided hereafter, I think we should go on to the next item of the estimate.

Mr. *Stuart.*—Before I go on to the next item of the estimate, I should like to know what is to be the amount of the civil list, and I should also require a guarantee from his Excellency that from the 20th July last the salaries will be paid according to the rate to which they were reduced by the vote on that day. If I get such a guarantee, I shall then be ready to go on with the estimate; but so far as I am concerned, nothing will induce me to move one iota. Are we aware where the money is to come from? Are honourable members going to allow 39,000 *l.* to be paid out of the chest, instead of 26,000 *l.*

Mr. *Croal.*—The court has already voted it down to 26,000 *l.*

Mr. *Stuart.*—Yes, it has; but are you now going to pay more than the 26,000 *l.*? Let us at once fix the manner in which it is to be paid, and get a guarantee that no more will be paid.

Mr. *Croal.*—That is a question of ways and means.

Mr. *Stuart.*—It is not a question of ways and means. It is a question for this court to decide at once. It is a very serious question. You ought to know, that where a vote of this court has been come to, it should be carried out to its full extent.

Mr. *Croal.*—I know what ought to be in the chest, and I know what is in it.

Mr. *Stuart.*—But we have no information with regard to what is in the chest. We are not told what have been the disbursements from it since 20th July last. Let us have on the table the accounts paid since 20th July last, from the salary of the Governor down to the lowest officer. That is what I want; and as far as I am concerned, nothing else will satisfy me. There is no use trifling with the court in this way. If the vote of the court on 20th July last can be set aside, every other vote which it has come to or may come to, can be set aside too. That vote was not come to without discussion. It was discussed both by the elective members and the officers of the Crown. The Attorney-general and the Chief Justice made speeches upon it. The votes were taken, and every member of the court gave his vote, from the Governor downwards. It was carried that the civil list should be reduced from 39,000 *l.* to 26,000 *l.* I wish to know whether that vote is to be set aside, or whether effect is to be given to it. Is it to be set aside? or is your Excellency prepared to give effect to it? If your Excellency will give us a guarantee that the vote will be carried out, and the civil list reduced to the rate fixed in that vote, then I shall be quite satisfied; then I shall be prepared to go on with the business. But nothing else will satisfy me.

Mr. *Croal.*—You are prejudging the question.

Mr. *Stuart.*—I am not prejudging the question. I am speaking common sense. I do not want to be entrapped, as my honourable friend opposite says. I am coming to the real question, the money matters; but I am not prejudging the question.

The Government Secretary was then proceeding to take the votes upon the amendment.

Mr. *Porter.*—I understand his Excellency to say, that he will be willing to admit this amendment, if it states that the civil list shall be left in the position which it was in on 20th July last; that is, at the reduced sum of 26,000 *l.*

Attorney-General.—No; if it is left where it was, at 39,000 *l.*

Mr. *Porter.*—No, no. If I understood his Excellency at all, he stated that he would be willing to admit the amendment with a very slight alteration in the wording of it; and that alteration was that the civil list should be left in the position in which it was placed by the court on 20th July last.

Governor.—I have no objection to that.

Mr. *Porter.*—Now, that appears to me to be exactly the substance of my honourable friend's amendment.

Governor.—I must explain. I am prepared to admit the amendment thus altered; but I

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can give no guarantee, such as is required by the honourable member who last addressed the court, as to the mode of carrying out the civil list ordinance.

Mr. *Porter*.—The amendment does not ask for any guarantee.

The Government Secretary then, at the request of members, read over the amendment.

Mr. *Porter*.—What difference is there? The amendment requires only that the civil list should remain where it was fixed by the vote of 20th July.

Governor.—But I propose that it should remain in the position in which it was placed by the vote of the Combined Court.

Mr. *Stuart*.—And that position is, I suppose, that the vote has been come to, but shall have no effect. If the court is prepared to submit to that, I have nothing more to say.

Mr. *Croal*.—We will proceed to the ways and means after getting through the estimate; and if only 26,000 *l*. are raised for the civil list, we will leave it to the Government to say whether more shall be spent for that purpose.

Mr. *Gordon*.—We will rely on the justice of Parliament. I do not care what amount your Excellency takes from the public chest. We will leave it to Parliament to make your Excellency, or your Excellency's successor, refund it.

Mr. *Ferguson*.—From the declaration made by your Excellency, that you will be satisfied with the words just read by my honourable friend, Mr. Porter, I may take the liberty to inquire of your Excellency, whether we are distinctly to understand, by those words, that the sum of 26,072 *l*., voted by the court on 20th July, will remain as the first item of the estimate?

Governor.—Decidedly not. The item is to be left in the position in which it was placed by that vote. If the vote be a good one, it will remain so. But we cannot decide upon the legality of the vote.

Mr. *Ferguson*.—That vote has been placed upon the minutes of the court, and the first item of the estimate has been passed at that sum. Now I most distinctly state, that I am most anxious to proceed with the public business. I wish to go on with the estimate, and to do everything that is possible and right to retrieve the finances of the country; but at the same time, I distinctly state, that I will never do so unless the vote of the Combined Court be recognised, which fixes the civil list at the amount of 26,000 *l*. It is unnecessary, sir, to occupy the time of the court by stating the various circumstances which have rendered it imperative upon the members of this court to maintain the position which they have assumed. Nothing can shake them. Nothing, I am convinced, can alter the purpose which they have again and again announced, that reduction, if it takes place at all, must commence from the beginning. It is unnecessary to detail to you the distress that prevails in this country. It is, unfortunately, too well known to you, and to every member of this court, and every colonist. It is well known that no capital invested here in the cultivation of estates has paid (with the most trifling exceptions) the smallest return to the proprietor. How can we, in the face of such a state of affairs, pretend to keep up the present rate of expenditure? It is impossible. Let us look with calmness and common sense at the condition to which we are reduced. Out of the 250 estates in the country, how many of them afford any return to their proprietors? I am satisfied there are not 50 which give any return whatever; and out of those 50 there are not 20 which give even moderate interest upon the capital invested. We are told that the import duties will be sufficient to pay the civil list, but what will become of those duties if 200 estates are abandoned? for abandoned shortly they must be unless some most extraordinary and unexpected change take place in reference to our affairs. Will any man tell me that 50 estates are sufficient to keep up the expenditure of the country? What will become of the rum duties and of the import duties if the cultivation of the country is abandoned? I am sorry to say, sir, there is too much danger of an entire abandonment of cultivation in this country. But will any honourable member say that it is just to pare down the salaries of the colonial officers on the estimate, and not to begin at the head? If our situation were different, gladly and willingly would the civil list have been voted; no man would have raised his voice against it. But every member of this court knows the altered state of our affairs. Good God, sir, can Her Majesty's Government, with any reason, any justice to this unfortunate colony, which their own legislation has ruined, insist upon the payment of such a civil list? It is certain, no member of this court can lay his hand upon his heart and say, such a proceeding would be just. If your Excellency is inclined to be so magnanimous as to take the responsibility upon yourself, and do that which you must feel to be right, we are all willing to join you and go on with the public business; but I will never be a party to so flagrant an act of injustice as the attempt to curtail the salaries of the officers on the estimate without affecting those on the civil list. If we are to reduce, we must begin at the beginning. There is not a man engaged in the planting business, there is not a merchant, there is not a professional man in the colony, who does not feel the pressure of the times, who has not had the profits of his trade reduced at least 50 per cent.; and we are to be told that, while all are suffering thus, the salaries of public officers must remain the same. It is impossible. The money is not there to pay them. The Government, and the Government alone, has brought this colony

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to its present unfortunate position. I say it is utterly impossible that the present expenditure can be maintained, and I say reduction must begin at the fountain head.

Mr. *Gordon*.—The item of the civil list has been settled by the vote of 20th July last at 26,000 *l*. It must be left with Parliament to declare whether that vote was legal or not; and if, in the meantime, the Governor take a larger sum, he must be responsible.

Mr. *Croal*.—Our case must rest there.

The Government Secretary was then proceeding to take the votes on the amendment—

Mr. *Brand*.—I understand your Excellency to say that you will accept the amendment, if the verbal alteration which you suggested be adopted.

Mr. *Rose*.—I do not understand his Excellency to say so.

Mr. *Gordon*.—I understand his Excellency to say that he will not give any pledge.

Mr. *Stuart*.—I think he said something more. He said that the item of the civil list must remain at the sum of 39,000 *l*. and not 26,000 *l*. In our address, which was signed by the hon. member (Mr. Brand), we insist upon its remaining at 26,000 *l*.

Mr. *Brand* (we understood).—I am satisfied.

Governor.—I must be allowed to say, in explanation, that I do not insist upon any sum whatever. I am quite ready to proceed with the estimate, dealing with the civil list as I think proper, on my own responsibility; but I cannot compromise the interests of the Crown by admitting the legality of the vote come to by the Combined Court.

Mr. *Rose*.—The estimate is before the Combined Court, and your Excellency has no power to withdraw it. By a vote of this court the first item has been passed; and we are ready to proceed with the next item. The estimate, I repeat, cannot be withdrawn from the court without the consent of the majority.

Mr. *Davison*.—I hold in my hand the estimate for the present year, and I find that the first item has been fixed at 26,072 *l*.; that, I say, forms a part of the estimate; when we come to raise the ways and means we will raise no more money than will pay it, but if more money be used, the responsibility must rest with the Governor.

The votes were then taken on Mr. Rose's amendment. For it—Messrs. Davison, Watson, Croal, Brand, Duff, Conyers, Ferguson, Gordon, Porter, Stuart, and Rose, 11. Against it—The Government Secretary, the Attorney-general, and the Chief Justice, 3. The amendment was carried.

The Governor immediately rose and read the following—(*vide* page 339).

Mr. *Rose*.—Your Excellency states that we are not inclined to submit our case to the Ministers of the Crown. I most decidedly differ from you. We have urged our complainst upon the Government, and we have been refused the redress which we sought; but we will now leave our case to be judged by the High Court of Parliament. What I wish here to notice, however, is the statement that the gaols, the police, and the hospitals will be left unprovided for. I deny that. In the first place, your Excellency has the means of ascertaining that the hospitals are supplied at this moment on the faith of the colony, and that tenders for that purpose were sent in at the instance of my honourable friend, the late Lieutenant-governor. As for the police, you have sufficient funds to pay them. I will not go into the question of the application of the loan money, or any of the other questions upon which your Excellency has spoken. I merely take notice of the address, in order that the impression may not go abroad that we wish to throw the colony into confusion; but I am at once at issue with your Excellency. I say there are funds sufficient to pay the police; and I know no other body that can be thrown into confusion. If confusion is created the responsibility will not rest upon us. Have we not, in the vote which has just been passed, declared our readiness to go through the estimate? How long will it take us to do so? Not more than two or three days; and then we can at once proceed to the ways and means. What excise or what tax may be proper to be levied it is not for us to discuss at this moment. When we have the ways and means before us, then it will be proper for us to take such subjects into our consideration. But I must tell your Excellency that it is no part of your province to point out the way in which the ways and means are to be provided; that has been distinctly left by the government, in your Excellency's absence, to be discussed by this court in committee. We are ready to take everything into our consideration; but I cannot admit that there is any such danger as you have represented. I know there is enough to pay the police. On Saturday night there were 100,000 dollars in the chest; and as for the figures which you have exhibited to us, we know well enough how these things are usually got up. I think I could sift the statement of my friend below, the receiver-general, and reduce it to tatters in a very few minutes. He understands Dutch book-keeping very well. (Laughter.)

Mr. *Croal*.—If you are ready to proceed with the estimates there will be very little difference remaining between us. I move that we proceed with the estimate, protesting, at the same time, against the appropriation of any sum contrary to our vote of 20th July. That is all that we can do. Let us go on with the business of the country at any rate.

Mr.

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Mr. *Rose.*—That is the very substance of the amendment which has been carried. We state there that we are ready to go on with the estimate.

Mr. *Stuart.*—That is the very thing which I asked his Excellency to do.

Mr. *Croal.*—No; you required a pledge from his Excellency. I do not. Instead of a pledge from his Excellency that he will not appropriate more than 26,000 *l.*, I propose that we should protest against his appropiating more than 26,000 *l.*

Mr. *Porter.*—There is no pledge required in the amendment. Read it over, and you will see there is not.

Mr. *Croal.*—The legal effect of our vote is denied. How can we say that we are right?

Mr. *Rose.*—We have said so.

Mr. *Croal.*—Yes; but that is only an assertion. It must be decided by a higher power. Now, I do not wish the court to break up without doing something towards getting through the public business. By proceeding with the estimate we leave our vote to be decided upon hereafter. What more can we do?

Mr. *Rose.*—There is not a single word in the amendment about a pledge. It amounts to the same thing as you propose.

Mr. *Croal.*—No; there is a very wide difference between the amendment and my proposition.

Mr. *Stuart.*—So there is; and for that very reason I am opposed to your proposition.

Mr. *Croal.*—Does not Mr. Porter agree with me that it would be much better to proceed with the estimate, under protest against the appropriation of any more than 26,000 *l.*?

Mr. *Porter.*—Yes; I do agree with you. I think we should go on until we get a legal opinion on our vote.

Mr. *Stuart.*—We do not require any legal opinion as to how we should dispose of our finances.

Mr. *Croal.*—The other party require it.

Mr. *Stuart.*—But we do not. Strike out all reference to the legal effect of our vote, and I will agree with you.

Mr. *Gordon.*—I understand by the amendment just passed that we are ready to go on with the estimate, leaving it to Parliament to decide whether we have the right to reduce the civil list or not.

Governor.—I am willing to join you in proceeding with the estimate; but I can give no pledge in reference to the civil list.

Mr. *Gordon.*—We do not exact any pledge from your Excellency. You may go on with the original amount, if you think proper, but we will not acknowledge that you have a right to do so.

Mr. *Rose.*—We are quite ready to go on with the estimate, but we contend that the first item has been disposed of.

Mr. *Stuart.*—So far as I am concerned, I am quite ready to go on with the public business. I, indeed, see no reason why the public business should not be proceeded with. If it be not proceeded with, it will not be the fault of this court; because we now declare ourselves ready to take up the estimate, and go on with it item by item. It will take us only a few days to get through it; and when we have done so, we may proceed with the tax ordinance. If this be not done, let it not go forth that the fault is attributable to the court. I see no obstacle to our proceeding at once. Our vote on the first item has already been given. It was allowed to be given on 20th July last, and it must stand. I was under the impression on 20th July, that the estimate was to be proceeded with then, and that if we could not get through it on that day we would have had only a short adjournment in order to resume the consideration of it. I cannot understand why we were not allowed then to go on with the public business. Why not let our vote stand or fall, and give us leave to go through the estimate?

Mr. *Croal.*—That is the very position which I have assumed.

Mr. *Stuart.*—Yes; but you are putting into your motion words about legal opinions; whereas there is no occasion for any such thing. The amendments is quite sufficient for our purpose. Let it rest as it is.

Mr. *Croal.*—Then you close the door against any accommodation.

Mr. *Stuart.*—No; I do not. I open the door to his Excellency. I appeal to his Excellency whether we do not; and I ask him to allow us to proceed with the estimate.

Governor.—Your object is, it appears to me, to go on with the estimate, on the ground that your vote is a final one: that is to say, you refuse to proceed with the estimate, unless the civil list, at the rate fixed by your vote, stand a part of it.

Mr. *Stuart.*—The amendment is that the civil list should stand where it was left by the vote of 20th July. That is simply our amendment. Let is stand there, and we are ready to go on.

Mr.

Mr. *Rose.*—We do not wish to create confusion; but we wish to protect ourselves.

Mr. *Porter.*—We are all ready to go on with the public business; and I cannot see any difficulty in the way of your Excellency's agreeing with us. The question of the validity of our vote must be left to Parliament to decide. There is no difference of opinion on that point. Then why not go on with the public business, leaving the civil list to be decided by Parliament? Your Excellency may do so, pledging yourself to take the civil list at the reduced scale, with the proviso that should Parliament——

Mr. *Rose.*—We will have no pledge.

Mr. *Porter.*—Then I will not insist upon having a pledge. Let the vote be left to the decision of Parliament. If we take any other course we will be prejudging our case, and stultifying ourselves; whereas, if your Excellency agree to the plan which I recommend, you will not be committed any more than we will. Leave the question to Parliament, by whose decision we must be guided. None of us can say what that decision will be, nor can we oppose it when it is delivered; I cannot, therefore, see any difficulty whatever in the way of proceeding with the public business.

Governor.—The only difficulty is as to the amount of the civil list. I have no objection to present the estimate to the Combined Court without any reference whatever to the civil list, and in that case I have to state there are funds at the disposal of the executive, which are entirely beyond the power of the Combined Court.

Mr. *Porter.*—I do not see why your Excellency should not pledge yourself to appropriate only a certain sum. It is an open question between us.

Mr. *Rose.*—His Excellency's proposition is to pledge us. Your Excellency may pay the whole or more, if you wish; that, however, is a matter with which we have nothing to do; our business is to provide means to meet the demands on the colony: if you pay more than you are authorized to pay, I dare say you will be able to justify yourself afterwards.

Mr. *Porter.*—I move that the question of the civil list be left to Parliament, and that the business be now proceeded with.

Mr. *Rose.*—No, that would be taking the civil list off the estimate; I cannot agree to that; it would be stultifying ourselves.

The Governor then proposed to adjourn the court till to-morrow, in order that members might, if possible, come to an understanding.

Mr. Davison (we understood) stated that he would not be able to give his attendance to-morrow. He would be glad if the court was adjourned to the day after.

The Governor desired to know whether honourable members generally wished the court to be adjourned to the day after to-morrow instead of to-morrow.

Mr. Stuart did not see what other understanding they could come to. They already understood one another.

The Governor made an observation which did not reach us.

Mr. *Rose.*—They could not forget that the estimate was before the court already; and that whatever had been done on it could not be undone, except by a resolution of the court.

Mr. *Porter.*—They had nothing to do with the civil list; that had been disposed of already.

The Governor then adjourned the court till 12 o'clock to-morrow.

Tuesday, April 3.—The court was opened to-day at 12 o'clock, the Collector of Customs being the only member (of the Court of Policy) absent.

Mr. Rose immediately rose and read the following address.—(For Mr. Rose's address, *vide* page 341).

I have now to move that we proceed with the estimate.

Mr. *Davison* seconded the motion.

Attorney-General.—I have only one or two observations to adress to the court; and I shall be as brief as possible, and confine myself simply to one portion of the speech which has been read by my honourable friend, Mr. Rose. The portion of that speech to which I shall take the liberty of directing the attention of the court is that in which he adverts to the fact of the violation of the civil list ordinance having been committed by Her Majesty's Government. That question is rather a singular one, and is more singularly connected with another question which forms a portion of the speech of the honourable member. He taunts the Government with a violation of an ordinance; and in the next breath he recommends the violation of another ordinance. He says you have violated the civil list ordinance; but he advises you to violate the loan ordinance. In other words, he recommends the Governor to appropriate a portion of the $100,000 which is pledged under the loan ordinance, to the keeping up of the institutions of the country. That fund is pledged in the first instance, to discharge the claims on the civil list; and after those claims have been discharged, it is most distinctly provided by the ordinance to which I allude, that it shall go towards the payment of the interest on the loan. So that my honourable friend, in one and the same moment, accuses the Government of a violation of one ordinance and recommends the Government to violate the provisions of another. Therefore, it is impossible for his Excellency to apply to the keeping up of the gaols and the police the money to which my honourable friend, alludes. It is appropriated to other purposes. I shall move——

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Mr. *Stuart*.—There is a motion already before the Court.

The Governor read the following Minute:

"I have to inform the Court that I adhere to the resolution announced to them yesterday, of declining to accede to the terms stated in the amendment of the Honourable Mr. Rose, as those on which the Court would consent to proceed with the estimate. I am still willing to agree to the substitution of the words suggested by myself, with a view of leaving the question of the civil list "in *statu quo*;" but if that course does not meet the pleasure of the Court, there exists no alternative to a fresh adjournment; but in the proposal which I yesterday recommended in my address, viz. to impose certain duties specially destined for the support of the police, the gaols, the hospitals, and the poor."

Mr. *Croal*.—I believe that the substance of the amendment moved by Mr. Rose yesterday, and carried, is in some measure different from that proposed by your Excellency. I hold in my hand the words which I understood your Excellency to use, and I will read them. If I am wrong, your Excellency will be pleased to correct me. They are, "That this Court should proceed with the estimate, leaving the question regarding the civil list to remain in the position in which it was placed by the vote of the Combined Court of the 20th of July last." Am I correct?

Governor.—Those are the words which I used, or very nearly like them.

Mr. *Croal*.—Then I beg to move that this Court now proceed with the estimate, leaving the question regarding the civil list to remain in the position in which it was placed by the vote of the Combined Court of the 20th July last.

Mr. *Stuart*.—There is a motion already before the Court.

Attorney-general.—It must be moved as an amendment upon the original motion.

Mr. *Croal*.—I move it as an amendment.

Mr. *Brand* seconded the amendment.

Mr. *Rose*.—I am opposed to the amendment; I have a great respect for everything that falls from my honourable friend; but on this occasion, it is with deep regret I am obliged to differ from him. Sir, the amendment now proposed is, in point of fact, making matters worse than they were before. It will have the effect of undoing all which was finally set at rest yesterday. The amendment which I proposed yesterday was opposed, it is true, by some honourable members, but it was carried in the usual form by a majority of the Court, and therefore I think it rather extraordinary that any attempt should now be made to open the question which has been set at rest by that amendment. I believe we cannot go back to the subject. It has been settled already. If his Excellency feels any difficulty in this matter, he has his remedy; he may enter on the minutes whatever objection, or protest, or disclaimer he may think fit. Let him follow the forms which have existed in this Court for a period long before he came to preside over it. But if he perseveres in entertaining the present amendment, it certainly is not for me to point out the duties of the Governor. I can only say, it appears that the Government is held always to be correct, and the majority of this Court wrong. Whether we are at liberty or not to take off a portion of the Civil List, is a matter for consideration hereafter; but I say I see nothing in the vote of yesterday that can prevent his Excellency from proceeding with the public business. We say we are ready to go through the estimate, and proceed at once with the Ways and Means. I, therefore, cannot see the necessity or expediency of this amendment. It is going out of the usual routine of business. Nor can I see the propriety of levying a partial tax for a partial object, when means are at his Excellency's command for meeting all the demands against the colony. I say the official members of this Court cannot be in any way committed by going on at once with the estimate. We say one thing, and they deny it. Time will tell who are right; but in the meantime, I see no just cause or reason why the public business should be delayed. I will now advert to what has fallen from my honourable friend on the right (the Attorney-general). He, as usual, with his great skill and tact, endeavours to put words into my mouth. He says, I have attempted a violation of the Loan Ordinance. I tell my honourable and learned friend, that I feel as great a respect for that Ordinance as he can feel, and I know as much about it as he does. I know that up to the present time the interest upon the loan has been paid. I am not in the secret of the Government, and know very little about its measures, but I know that money has already been forwarded for the purpose of paying the interest on the loan. So much for the accusation of my honourable and learned friend that I wish to violate the Ordinance. But I can go further than he has done. I know that money has been applied to the payment of the Civil List, which belonged exclusively to the Loan Ordinance. That is the reply which I have to make to his charge against me. And for all I know, that money might have been applied to that purpose on the legal opinion of the Attorney-general himself. But I am entirely at issue with him on that point, and while I am referring to this matter, I may state my opinion seriously, that the loan tax is illegally levied at this moment, that the people are not legally obliged to pay it. Having replied to the Attorney-general, I will beg his Excellency to consider whether, under the circumstances, he cannot safely proceed with the estimate, and enable

enable us to go on with the public business. So far as I can see, there is no difficulty whatever in the way; and I think his Excellency will do well to listen to our request.

Chief Justice.—What is the amendment?

The Government Secretary read the amendment.

Mr. *Stuart.*—That amendment at once sets aside the question which has been settled by the other amendment proposed yesterday, and carried. If you adopt this amendment, I say you will set aside that decision which you deliberately came to yesterday.

Mr. *Croal.*—I cannot see that.

Mr. *Stuart.*—You voted for the amendment yesterday ——

Mr. *Croal.*—I may alter my opinion.

Mr. *Stuart.*—Where is the necessity for this amendment?

Mr. *Croal.*—It furnishes an honourable way of settling the differences between us.

Mr. *Stuart.*—It cannot furnish an honourable way to get rid of our differences, when it merely rescinds, by a sidewind, the vote which we came to yesterday. On that ground, and on that ground alone, I am opposed to it.

Mr. *Porter.*—I differ from my honourable friend who spoke last. I do not think that the present amendment will rescind the vote of yesterday. I think the amendment substantially the same as that of yesterday.

Mr. *Stuart.*—Why move it then?

Mr. *Porter.*—Because the Governor will not consent to any other; and as I do not see any difference,—any substantial difference, between this and the one which was passed yesterday, I will support it. I may be wrong. There may be a difference, but I do not see it; and as I do not I will vote for it. The amendment is, that the Court do now proceed with the estimate, leaving the question of the civil list in the position in which it was placed by the motion of the 20th July last; and I think that this proposition sets the question at rest on the same footing as the vote which was come to yesterday. Before sitting down, I may be permitted to make one or two remarks on the speech which your Excellency delivered to the Court yesterday. I am perfectly aware that many evils have arisen from the present stoppage of the supplies; but I think some of the evils which have been mentioned are not properly attributable to that event. Your Excellency attributes the increase of crime chiefly to "an anticipation of a decrease in our penal establishments," and in support of this you refer us to the number of prisoners who have been convicted for the last three years, showing a decided increase for 1849. I am of opinion, however, that the increase of crime is attributable alone to the idleness which has been so general among the creole population since the reduction of wages. The effects of this idleness were not apparent immediately, nor could it be expected that they should be. People do not become great criminals at once. I might add, moreover, that the impunity with which crimes have been committed has furnished the most contagious examples for the commission of greater crimes. These causes are quite sufficient to account for the increase of crime in the community, without attributing it to the stoppage of the supplies. It may appear at first paradoxical when I say, that the reduction of wages has led to idleness among the labouring population; because we generally suppose that when wages are reduced people work more diligently and harder, in order to earn at the reduced rate the same amount of wages which they formerly received; but this has been the case with very few of our labouring population. The greater part of them prefer to eke out their existence by any other means rather than continuous labour.

Mr. *Gordon.*—It was with great disappointment that I heard your Excellency's speech yesterday. I considered, after the motion which was then carried, that the matter was settled, and that we were about to come to some amicable arrangement. I am glad, however, that I am now able to support the amendment of Mr. Croal, because I agree with my honourable friend, Mr. Porter, that there is very little difference between it and the amendment which was carried yesterday. But, sir, there is in your speech very little that I can agree with. It appears to have been written before your Excellency came into Court, and therefore it prejudged the question before the Court. Your Excellency states, that we "refuse to proceed with the estimate." I, for one, must deny that statement. I believe that the whole of the elective members yesterday were perfectly willing to go on with the estimate; and they declared to your Excellency that they were willing to do so. You then say, that "we decline to submit that question in the formal and constitutional manner I recommend to the decision of the Ministers of the Crown, with a view of obtaining the desired reduction." How could we do so? We have done it a hundred times already. Your Excellency was pleased to say yesterday that whatever falls from you is in the nature of an address from the Crown. How much more so must we not consider a motion made with the consent of the Governor?—Well, on 20th July last, the Lieutenant-governor put the question, whether the civil list should be reduced or maintained at its former rate? and this Court responded to the question by declaring that it should be reduced to 26,000 *l.* After that, I hold it was a breach of faith on the part of the Crown to attempt to set aside the vote. That vote might have been disagreeable to the Crown, but it should, nevertheless,

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have been adhered to. During the war there were several capitulations made by the allies, which, although distasteful to the Government, were honestly adhered to. With regard to the money for providing for the support of the police, and the gaols, and the public hospitals, my honourable friend, Mr. Rose, has already replied to your Excellency on that subject, and I perfectly agree with him in all that he said on it. You go on further to say, "If I am driven, through want of funds, to close the gaols and hospitals, and to disband the police force, be assured that the Combined Court, who alone possesses the power of voting the money, will alone be held responsible for its non-provision." Certainly it will require a good deal of courage for your Excellency to open the gaols and disband the police; but allow me to state, with all due respect, that obedience to a government ends when that government fails in one of its principal duties. You state, further on, "The present crisis, as you well know, is most unadvisedly chosen for depriving the colony of an effective system of administering the criminal law." If an effective system of administering the criminal law has been got up here within the last few months, I am very glad to hear it; but if your Excellency's observation is intended to apply to the past, I say, no such system has ever existed. And here is one of the causes why the labouring population (at least the evil disposed of them, not the whole) on the reduction of wages were found committing so many crimes. I am entirely at issue with your Excellency with regard to the causes of the increase of crime. I am inclined to believe that what my honourable friend opposite (Mr. Porter) has stated is correct. Previously to December 1847, the people were receiving large wages—at no time since that period have they been paid at a similar rate—they had large sums of money in their possession, and there was no necessity for them to go on the highway and shoot people or knock them down to take away their money; but in the course of five or six months they got rid of their money, and rather than work for the reduced wages, they resort to crime. I have been told by many of them within the last few weeks, that the Governor could not hang any of them; he could only send them to the penal settlement. It appears that they do not care about running the risk of committing crimes, so long as they imagine that they cannot be hanged for them. Your Excellency then goes on to say, "It is vain to charge the Secretary of State with stopping the supplies, unless you admit his right to raise them; and you yourselves would be the first to protest against taxes being levied in this colony by any other authority than your own." It is customary, I believe, in all courts of this description to pass an estimate first, and to know for what purpose the money is to be raised. We have been, since the 20th July last, anxious to pass the estimate, and to raise the necessary supplies; and the Governor, since that date, has come and prevented us from obtaining the information necessary to warrant us in levying taxes on the inhabitants of the colony; and I think that without such information before us, we should have been very delinquent indeed had we gone away and passed a tax ordinance to provide for an estimate which was placed before us in the same form as in the previous year, at the enormous and exorbitant rate formerly maintained. The great question at issue between us is the reduction of the civil list. Your Excellency was pleased to ask us to give our reasons for proposing a reduction. I now state my reasons. There might have been great reasons for maintaining the civil list at its old rate, at the time that Governor Light wrote his despatch with regard to the high price of living here, in which he stated, among other things, the high prices which turkeys were bringing. (I do not see why turkeys should not be as good an exponent as anything else.) But I ask any honourable Member whether turkeys are eight dollars a pair now?

Chief Justice.—I know they have been selling within the last few days at six dollars a pair, but, unfortunately, I was not able to buy one. (Laughter.)

Mr. *Gordon.*—Since Governor Light wrote that despatch, beef and other articles of food have fallen in price. Servants' wages have likewise fallen, and house rent has fallen. Therefore, I do not see that there is any necessity for continuing the salaries of officers on the civil list on their past footing. I do not know how they can make out that they require those salaries. As a proof that they can live upon less, I venture to say there is not a single acting official, from the Chief Justice down, who would not be glad to be continued as long as possible.

Chief Justice.—I must deny that, so far as I am concerned.

Mr. *Gordon.*—I do not see that their expenses are so heavy as to require these large salaries. If we are to judge by the equipages in which some of them drive about the streets, it cannot be necessary. I do not know what the feed of the horses may cost; but from the seedy appearances of the carriages there cannot be much money invested in them. (Laughter.)

Chief Justice.—Mine did not cost much, I assure you.

Mr. *Gordon.*—These are my reasons for wishing to reduce the salaries on the civil list. With regard to the recommendation of your Excellency, to impose a duty on foreign spirits, I never will consent to that. You have compelled these parties, whether legally or illegally I do not know, to pay a tax of 2½ per cent.

Mr. *Stuart.*—This is not the time to discuss that subject.

Mr. *Gordon.*—Allow me to proceed, if you please. You have compelled these parties to pay a tax of 2½ per cent. already; and on what plea, after they have taken the spirits into consumption and paid the duty, can you go back and put on another duty? Is it customary at home, on the increase of any duties, to go to grocers' shops and impose extra duties upon articles already taken into consumption? Or, on a reduction of duties, to give a drawback to the amount of such reduction? As for the observations of the Attorney-general, attributing

buting to my honourable friend on the right (Mr. Rose) a wish to prevent the money in the chest, collected under the ordinances made permanent during the continuance of the loan ordinance, from being paid for the purposes of the loan, I shall say nothing, as my honourable friend has ably replied to him on that subject. Your Excellency was pleased, however, in your address to this Court, on a former occasion, to make a statement regarding those taxes in connexion with the ordinance for the collection of the 2½ per cent. duty, in such a way as to give an impression that we, on the part of the colonists, wished to prevent the collection of those taxes. I deny that there has been any such attempt. I have never heard of any one's refusing the payment of those taxes—the rum duties or the produce tax; but I believe that the merchants were perfectly justified in protesting against them; and had they been true to themselves in refusing the payment of them, these taxes never could have been collected. As regards the appeal in our case to the Imperial Parliament, we have made it in the most formal manner; and although we are unrepresented in that august assembly, we will rely upon having justice done to us. Had proper representations (such as I hope your Excellency will not fail to make) been forwarded during the session in last year, I have no doubt that Parliament would, by its decision in our case, have prevented all the bickerings which have since taken place between the Government and this colony. We would have been allowed to reduce the salaries on the civil list without controversy; and there is no doubt we should now have been conducting the public business in perfect harmony. But our case is before Parliament. By the last advices, we were acquainted that a Committee has been appointed to investigate our grievances; and I hope that Committee will report in our favour. I hope your Excellency will make proper representations on the subject; and I feel convinced that, if you do so, even Earl Grey, that great man, who appeals to the historic recollections of his name, will soon be brought to take a more favourable view of our case than he has taken; and, on consideration of our case, I think he will see in concession no disgrace, and no honour in coercing the elective members of this Court. I will support the amendment of Mr. Croal.

Mr. *Ferguson.*—I will keep the Court a very short time; but I am compelled to state that I cannot concur in the amendment proposed by my friend (Mr. Croal). I cannot see any necessity for such a proposition; nor do I exactly understand and comprehend the object of coming to a deliberate vote yesterday, and now seeking to set aside that vote. I am most anxious to proceed with the estimate; and I entirely concur in the motion of my honourable friend, Mr. Rose, that we proceed with it at once. Most anxious and most earnest shall I be in the prosecution of the public business, if we are allowed to go on; but I cannot see the ground, or reason, or meaning of the present amendment by my friend Mr. Croal. I cannot comprehend it; although I do comprehend the plain, straightforward, and honest motion of my hon. friend, Mr. Rose, namely, that we should immediately proceed, with all diligence, to the prosecution of the public business. I have little desire, so much time has already been occupied, to take notice of any portions of the speech which your Excellency was pleased to deliver yesterday. There is, however, one paragraph near the conclusion to which I feel called upon briefly to refer. In that paragraph your Excellency says, "Were your policy intended to embarrass me personally, or to increase the confusion of affairs, I can readily conceive that to supply money for any purpose, or on any terms, might interfere with it; but as your object is merely to obtain the opinion of Parliament upon a particular question, I see nothing to be gained by thus jeopardising the existence of institutions on which the lives and properties of Her Majesty's subjects depend." For myself, I can affirm in the most solemn manner, that I am most anxious to forward every view of your Excellency for getting on with the public business; and certain I am that every elective member of the Court now present is equally anxious to co-operate with you. So far from there being any feeling of hostility entertained by us toward your Excellency, we all hailed your Excellency as the harbinger of peace, and looked to you for the settlement of the differences which unhappily existed between us and the Government; and we still rely upon your magnanimity in making such representations in our case as will prove to the satisfaction of the Government that we are claiming only an act of justice. I need not again enter on the unfortunate subject of the civil list; but when I hear my honourable friend (Mr. Rose) taunted with a violation of law, I cannot help calling to mind the manner in which Acts of Parliaments have been disposed of; the manner in which the most solemn pledges made to the suffering West Indies have been lost sight of. It is not, sir, the depreciation of property which we now complain of. It is, in too many instances, the utter annihilation of property. Would to God I could think with hope upon the future condition of this colony; but I confess I see nothing but danger and probable ruin staring us in the face. Let us go through the estimate, and endeavour by all the means in our power to preserve the institutions of the colony; and I feel assured that every member will co-operate with your Excellency, if they are permitted. I can see no reason why the business of the country should be delayed; none whatever. We wish to say nothing more on the subject of the civil list; we wish to go on with the rest of the items on the estimate, and to prepare the means of meeting the claims upon the public chest. Let me, then, entreat your Excellency to allow us to go on; to allow us to raise the funds necessary for supporting the institutions of the country. If we are not permitted to do so, I disclaim any responsibility; I feel that no responsibility rests upon me.

Attorney-general.—I have one or two words to say in reference to the observations that have been offered to the Court by the honourable members, Messrs. Porter and Gordon. I intend to confine these observations to the parts of the speeches from the honourable

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members, which contain censures on those connected with the administration of justice in this colony; because, although I am not connected with the administration of justice judicially, I am ministerially employed in carrying out the criminal enactments of this country. The honourable member (Mr. Porter) is a gentleman for whom I entertain the highest respect, and on whose assertions I am willing to place the most implicit reliance, but I must tell him that on the present occasion he has dealt entirely in affirmation and allegation, without adducing the slightest proof in support of the censures and charges which he has brought forward against the administration of the law. If my honourable friend will look to the records of the criminal court, a singular fact will present itself to his view, and however curious it may appear to those who have had to do with the stoppage of the supplies, it will be found that the increase of crime has commenced from the date of that stoppage, and is solely to be attributed to the conduct of the non-official section of this Court ——

Mr. *Rose.*—Order, order.

Attorney-general.—I do not think I am out of order.

Mr. *Rose.*—I maintain that you are out of order. You have no right to make any such assertions here. You are attributing motives to members of this Court, and I call upon his Excellency to say whether the language which has fallen from you is not contrary to all parliamentary rule.

Attorney-general.—If I am out of order, of course I bow; but I have been accustomed of late to hear discussions in this Court so utterly out of order, and language so far beneath the dignity of a legislative assembly, that I did not think I could be out of order in making the remarks which I have made. However, without adverting further to the remarks of Mr. Porter ——

Mr. *Porter.*—If you will allow me I will explain. You seem to be under a wrong impression. I stated that the law was broken with great impunity, but I did not mean to throw any imputation on the manner in which the law was administered by the judges, for it appears that the honourable and learned member accuses me of having done so. But I affirm, and I can produce proof in support of it, that where one criminal is punished, 50 are allowed to escape, That is what I call breaking the law with impunity.

Attorney-General.—I must call the honourable member to order. I am in possession of the Court.

Mr. *Porter.*—I am merely explaining. I think you have entirely misapprehended me. I did not mean to censure the administration of the law in the other end of the Buildings. Is not that what you considered I had said?

Attorney-general.—Yes; that I consider to be your meaning.

Mr. *Porter.*—Then I disclaim any such meaning. I have stated in what way I consider that the law has been broken with impunity. In England and many of the islands ——

Governor.—I beg your pardon; but you only rose for the purpose of explaining.

Attorney-general.—And the explanation of the honourable member is, that he does not attribute the increase of crime to the administration of the law by the judges, but to the lax way in which justices of the peace perform their duties.

Mr. *Stuart.*— There can be no doubt of that.

Attorney-general.—Now, my honourable friend is a justice of the peace himself; and therefore his censure must fall upon himself among others. Why does he not exert his power, and set an example to the other justices of the peace, by dealing with criminals according to the law? I will say no more on that subject. I now turn to the other honourable member (Mr. Gordon), who dealt about him in the same strain; and I must say that I admire the courage and zeal of the honourable member, who entirely disregarded the constant jerking and pulling at the skirts of his coat with which he was greeted during his speech by the honourable member on his right (Mr. Rose). (Laughter.) Indeed, I need not tell the Court that whenever the honourable member attempts to address the Court in a strain not pleasing to Mr. Rose, his coat-skirts are completely jeopardised. (Laughter.) And I could not help thinking, while the honourable member was on his legs, that if there is any respectable man outside that bar having the profession of a tailor, he must have been looking out anxiously for a job out of my honourable friend's seedy garment. (Uproarious laughter). My honourable friend has applied the term "seedy garment" to the apparel of some of the members of this Court; and I think I may be allowed to apply it to his. He states that the minute of the Governor, read yesterday, was written out of Court. I may tell him that the passage to which he refers was not written out of Court, but was penned by his Excellency in the chair in which he now sits, and was penned without the slightest intention or wish to prejudge any matter before the Court.

Mr. *Rose.*—As it appears to be the fashion to make a second speech, and as my honourable and learned friend has been amusing the audience with a few of his usual jokes, I think I may be allowed to make a few remarks in reply. I shall only notice the attack which he has made on my honourable friend opposite (Mr. Porter). He says that my honourable friend has preferred charges without a single tittle of evidence; but I would ask him whether the court of justice is not constantly in the habit of complaining of the scandalous manner

manner in which depositions are got up by the stipendiary magistrates, and whether their complaints are not usually made in his own hearing? I consider that sufficient. With regard to the other part of his speech, he is perfectly welcome to amuse himself at my expense. I know him well. I am not to be put out of countenance by any of his jokes; but I must tell him, that on the present occasion, he his quite out, because my honourable friend on my left is entirely opposed to me on the question now before the Court, and I declare I never jerked him while he was addressing the Court.

Attorney-General.—You did yesterday then.

Mr. *Rose.*—If I did yesterday, it was to prevent him from speaking before his time; but I did not jerk him or interfere with him in any way after he commenced to address the Court. When he is out of order I stop him in the same way that I stop you or any other member.

Mr. *Porter.*—I may be allowed to give a further explanation. I consider that the law is in itself defective; and therefore, although I am a justice of the peace, I am not to be blamed for not enforcing laws which do not exist. In England and some of the islands——

Governor.—I beg your pardon; you are merely explaining. There is a motion before the Court.

Mr. *Davison.*—I will not detain the Court by going over the arguments which have been urged against the amendment now before the Court; but I beg to state that I entirely dissent from that amendment. I am ready to go on with the business, and I see no necessity for having the minutes of the Court crowded with amendments so different from one another. The amendment of my honourable friend, Mr. Rose, was carried yesterday by a large majority; every elective member of the Court voted for it; but to-day it is sought to be set aside, without our being informed for what purpose. I see no necessity for this new proposition. I maintain that the Court is pledged by its vote to proceed with the estimate. I now hold that estimate in my hand, and I find that the first item on it is the sum of 26,072 *l.* That item forms a portion of the estimate, and whenever the Court goes on with the estimate, that must stand as the first item of it. I shall make no further remark, except that there are many points in your Excellency's speech with which I cannot agree. I ask your Excellency to let the Court proceed with the business on the terms agreed to yesterday by a majority of the members.

Mr. *Croal.*—As I have proposed this amendment, I think it proper to make a few observations in reply to those which have fallen from certain honourable members. When the Court broke up yesterday without deciding upon going on with the public business, I remained behind for some time; and I can solemnly declare that the member who spoke last saw the amendment which I have now proposed, or one very nearly to the same effect, and acquiesced in it. My motive for now proposing it is, that this Court and your Excellency may come to some honourable understanding. It is deplorable to think upon the state of the country, to see its revenues wasted in the manner they are; and I am no advocate for neglecting an opportunity like the present one, of settling the question in an honourable way. It must be admitted that there is still a question pending; for, although the Court has declared that the civil list should be reduced, yet the power rests with the Crown. If, therefore, the executive will allow us, let us go on with the business of the country, leaving that question to be decided by a higher authority. We may persist in asserting that we have the right to reduce the civil list; but the other party have opinions as well as we. I am quite satisfied that the amendment which I now propose will gain us every advantage which we could have expected from following any other course. On that ground I move it, and I hope the Court will adopt it, and proceed to business.

Mr. *Davison.*—I beg to explain. The document which the member states that I saw yesterday could not have been the same which he has proposed; because the latter has just been written by him in his seat.

Mr. *Croal.*—I took his Excellency's words down yesterday.

Mr. *Davison.*—But I did not see the one which you have now proposed.

Mr. *Croal.*—In what do they differ? You could not have intended to adhere to your vote of yesterday when you agreed to that which you saw afterwards.

Mr. *Davison.*—I beg to inform the member that I have never given a vote in this Court for which I could not give my reasons.

The amendment of Mr. Croal was then put to the vote. For it—Messrs. Brand, Croal, Gordon, Potter, the Government Secretary, the Attorney-general, and the Chief Justice—7. Against it—Messrs. Duff, Davison, Watson, Conyers, Ferguson, Rose, and Stuart—7.

The Government Secretary announced that there was an equality of votes.

Governor.—I feel bound to decide in favour of the amendment moved by Mr. Croal, as it will enable me to proceed with the public business, instead of compelling me to adjourn the Court *sine die*, as I should feel it my duty to do, if the original motion were carried.

The amendment was declared to be carried.

Members were furnished with copies of the estimate.

Mr. *Rose.*—It is my duty to state that this is not the estimate which is before the Court. My friend (to Mr. Davison), you will be good enough to produce your estimate.

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Mr. *Davison.*—The estimate laid over on the first assembling of this court contained as its first item a civil list, amounting to 39,672 *l.*: but by a vote of the Combined Court that item was reduced to 26,072 *l.* That sum is still further to be reduced, by the difference between 700 *l.* and the sum paid by the Crown towards the stipendiary magistrates' salaries. That difference (we understood) amounts to 1,500 *l.*, making the total 24,000 *l.*, which I take to be the first item of the estimate. We are now ready to proceed with it.

Governor.—I think the proposition of the honourable member is inconsistent with the amendment just carried by the court; namely, that the estimate should be proceeded with, leaving the civil list just where it was; but the honourable member now proposes to make fresh alterations, and to insert fresh figures.

Mr. *Croal.*—The meaning of the amendment is, that we should proceed to the next item of the estimate.

Mr. *Rose.*—I do not know what the meaning may be; but I know that the practice is, that when a vote has been come to by the Court, it should appear on the estimate.

Mr. *Croal.*—Is it not on the minutes?

Mr. *Rose.*—It is not on the estimate; and therefore this is not the estimate. It ought to contain the reduced amount of the civil list; I was perfectly aware of all this; I knew what we had to expect; I well knew that we were in the lion's den. Here are our remonstrances treated as blank pieces of paper. The estimate is not as we left it on 20th July last; and I say it will be a violation of all faith if our vote do not appear upon the face of it. The court will bear me out that what I state is correct, and I hope no member will submit to such a proceeding. I will not.

Mr. *Croal.*—The meaning of the amendment is, that the sum should be extended on the estimate according to practice.

Mr. *Porter.*—To be sure.

Mr. *Stuart.*—I am glad my friend sees that.

Mr. *Croal.*—How else could it be done?

Governor.—Allow me to say there appears to be some misunderstanding. I do not know what the usual practice is; but I have no objection that the figures referred to as having been voted in July last, should stand on the estimate.

Mr. *Stuart.*—That is precisely what we require.

Mr. *Porter.*—It must be so according to the amendment itself.

Governor.—But my observations were directed to the circumstance of the member's proceeding to further detail with reference to the civil list.

Mr. *Rose.*—That is a matter of course that must follow.

The amount voted for the civil list (26,072 *l.*) was then put down on the estimate.

The Government Secretary proceeded to read the other items of the estimate.

Mr. *Gordon* proposed that 81 dollars should be taken from the annuity allowed to Joseph Packwood.

Mr. *Stuart* said that would be going in opposition to their own resolution, which referred to salaries only exceeding 700 dollars.

Mr. *Gordon* withdrew his proposition.

Church Establishment.

Mr. *Davison.*—There are many petitions and memorials which have been sent in, referring to the various items under this head; and, therefore, I think it would be advisable for your Excellency to adjourn the court, in order that we may have an opportunity of perusing these documents.

Mr. *Croal.*—I think it very desirable that we should adjourn.

Governor.—I have not the slightest objection.

Mr. *Rose.*—I am ready to go on.

Mr. *Croal.*—Then, so am I.

Mr. *Davison.*—I move that the court adjourn.

Mr. *Stuart.*—I agree with the member (Mr. Davison) that it is very proper we should have the papers to which he refers before us before we decide upon the items; and therefore I join in requesting your Excellency to adjourn the court.

Governor.—I am perfectly willing to do whatever is the wish of the majority of the court. I think myself that it is better we should go deliberately about the consideration of the various items of the estimate.

Mr. *Stuart.*—It is but fair that parties who petition on any item should be heard.

Mr. *Croal.*—There are several petitions, and we do not know whether there are or are not any regarding the house-rent of the rectors. We must have a list.

Mr.

Mr. *Stuart*.--I do not know. If it be the wish of honourable members, I am ready to go on. Appendix, No. 17.

Mr. *Gordon*.--So far as I am concerned, I do not know that such petitions can have much effect.

Mr. *Stuart*.—You will not debar people from being heard?

Attorney-General.—I think it would be very unfair if parties who addressed this court were deprived of a hearing.

Mr. *Rose*.—Why, a little while ago, there was the greatest anxiety to go on with the public business. We were told the colony was going to ruin. Let us go on and save it.

Mr. *Croal*.—It is unfair to say that, because it was proposed yesterday to adjourn over the packet day; and we have met to-day only to come to an understanding.

Mr. *Gordon*.—Since we have taken up the estimate, it is desirable that we should go on in a proper spirit before the packet sails. After so long an interregnum, it is necessary that we should let people in England see that we are in earnest, and that we have not been talking for nothing.

The majority of the court appearing in favour of the adjournment, the Governor then adjourned the court till Wednesday, 11th instant.

Appendix, No. 18.

TO the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled: Appendix, No. 18.

The PETITION of the undersigned Members of the Court of Policy, and of the Financial Representatives of *British Guiana*, in Combined Court assembled,

Respectfully showeth,

THAT British Guiana still continues to suffer great agricultural and commercial distress, brought about chiefly by the circumstance that the colony has had, within the short period of the last eight years, to pass through the two most important crises in its history; namely, the crisis of emancipation, and that of the removal of protection.

That ever since the period of emancipation, proprietors of estates in the colony have had, and even still have, to contend with a higher rate of wages paid for manual labour than is known in any other part of Her Majesty's dominions; and that this labour is moreover neither effective nor continuous, although it is by it alone that their present cultivation is maintained.

That in some degree to obviate these difficulties, proprietors of estates have expended large sums of money in encouraging immigration, whereby the number of labourers has been considerably increased, although at a price which renders your petitioners unable to compete with sugar produced by slave labour; for it can be shown that the price to the colony of bringing a coolie from the East Indies, and carrying him back again after the expiry of his term of five years, amounts to the average price of an African or Negro slave.

That your petitioners are able to show that since the period of the abolition of slavery, the proprietors of estates, with the view of saving their properties from ruin, have expended a sum of money equal to, and in many cases greater than, the whole amount of the compensation which they derived from the Emancipation Act. That this sum has been expended partly on improved machinery used in the manufacture of sugar, such as steam-engines and mills of superior construction, on appliances for diminishing the amount of manual labour, such as cane carriers, megass elevators, railways, and the like. It has also been partly expended in providing cottages and grounds for the accommodation of labourers, a large influx of whom they had every reason to expect; but your petitioners' hopes having in this latter respect been disappointed, it is now necessary for them to have recourse to a system in which they shall not be so much dependent on manual labour as they have formerly been.

That from the extent of uncultivated land, its fertility, and the great physical resources of the colony, there is a constant tendency to squatting, and to the purchase of small holdings, whereby much labour is abstracted from the regular plantations; and these causes will, probably for generations, continue to enhance the price of manual labour in the colony.

That your petitioners beg most earnestly to call the attention of your Honourable House to the fact, that the system of drainage in universal use in the colony, is only adapted to a state of society such as existed prior to emancipation, when manual labour for every field operation was abundant, effective, and cheap.

That this system of draining, known as the open-drain and round-bed system, compels the sugar growers of the colony to continue a method of cultivating their fields by manual

Appendix, No. 18.

labour, which is the dearest, and which moreover is inefficient as compared with methods employed by other colonies. That this system is altogether incompatible with the employment of cattle labour, the use of the most approved agricultural implements, and with the introduction of the numerous improved methods of agriculture so well known elsewhere, and which, but for this obstruction, the proprietors of estates in the colony would at once gladly adopt.

That the present system of drainage is, on a large majority of estates in the colony, incompatible with the production of sugar of average quality and colour, by reason chiefly of the large quantity of saline matter which exists in the soils, and from which they cannot be freed by the ordinary method of draining. That the presence of this saline matter, moreover, entails on proprietors of estates an amount of loss, by drainage of sugar and molasses on shipboard, during the homeward voyage of their produce, which greatly reduces their profits, and renders the acknowledged fertility of the soil and fecundity of the climate to a great extent unavailing.

That your petitioners can show that were the sugar growers of this colony enabled to adopt a more perfect system of drainage, admitting of the "thorough drainage" of the land by close or covered drains, and laying flat the surface of the cane fields, most of the difficulties under which they at present labour would be obviated.

Your petitioners are of opinion that the following, among other advantages, would accrue from the introduction of such thorough drainage.

1st. The general use of cattle labour and implements, whereby the present difficulties in respect of high-priced, ineffective, and incontinuous manual labour would be greatly reduced. To illustrate this point more fully, your petitioners may state, that in the best farmed districts of Scotland, on a liberal computation, which embraces both green crop weeding and harvest work, six adults, with four good Clydesdale horses, two ploughs, and the other implements corresponding to the two ploughs, are known to labour 100 acres on the four-course rotation. In this colony, to cultivate 100 acres, and manufacture the produce, 50 negroes, working well and continuously, are required. But as the Scotch labourers only partially manufacture the produce, and our labourers both cultivate the sugar cane and manufacture the sugar, it is but fair to double the number of Scotch labourers per 100 acres, to secure a fair comparison; hence it follows, that the four horses, two ploughs, and corresponding implements, effect a saving of 38 labourers per 100 acres of cane-cultivation and manufacture; a saving which it is obvious that no measure of immigration can possibly supply to the colony at the same cheap rate, even if it were otherwise equally valuable.

2d. That the introduction of all the well-known improvements in agriculture applicable to the colony, as appears both from a consideration of principles and from the experience of other colonies, would be rendered to colonial landowners practicable and easy.

3d. That the quantity of the produce would be increased, and its quality improved.

4th. That cane cultivation would be less liable to the effects of protracted wet and drought, which at present occasionally interfere with the large returns which planters might otherwise with considerable confidence rely on.

5th. That the effect on the labouring classes themselves of substituting improved implements for the present very imperfect methods, would be highly beneficial, and would tend to improve and elevate the condition of such especially as already possess small lots of land; the want of efficient drainage being a main cause of the very limited and imperfect cultivation of almost all such lots.

6th. That improved drainage and cultivation of the soil would be found to prevent disease, to moderate the virulence of epidemics, and to improve the general health of the community.

That since the landowners of this colony have been placed by circumstances over which they possessed no control, in a position of greater depression and hardship than that in which British agriculturists are placed, since it can be satisfactorily shown that the rich and low-lying soils of this colony will derive greater benefit than British soils from an improved system of drainage, and that the great want of the colony, a want not felt by the British agriculturist, namely, the want of labour, is thereby most likely to be permanently supplied, your petitioners venture to hope that your Honourable House will regard colonial landowners as entitled to the same consideration as British landowners, and that you will be pleased to extend to this colony, under such appointments and regulations for securing the fair and equitable administration of the same as may be considered necessary, similar advantages to those conferred by that most necessary and judicious measure, the Act 9 & 10 Vict. c. 101.

May it therefore please your Honourable House to take the foregoing statements into consideration, and to pass for the colony of British Guiana an Act of similar import and tendency to the Drainage Act above referred to.

And your petitioners, as in duty bound, will ever pray.

(signed) William Arrindell.
Charles Burgen.
Peter Rose.
Jno. Croal.
Jas. T. White.
James Stuart.
John Jones.
Abra. Benjamin.
Thos. Porter, jun.
Chs. Conyers.
R. G. Butts.
W. B. Wolseley.
Wm. Davison.

TO the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The PETITION of the undersigned Proprietors, Planters, Merchants, and others interested in the Agriculture and Commerce of the Colony of *British Guiana*,

Respectfully showeth,

THAT British Guiana still continues to suffer great agricultural and commercial distress, brought about chiefly by the circumstance that the colony has had, within the short period of the last eight years, to pass through the two most important crises in its history, namely, the crisis of emancipation, and that of the removal of protection.

That ever since the period of emancipation, your petitioners have had, and even still have, to contend with a higher rate of wages paid for manual labour than is known in any other part of Her Majesty's dominions, and that this labour is moreover neither effective nor continuous.

That in some degree to obviate these difficulties, your petitioners have expended large sums of money in encouraging immigration, whereby the number of labourers has been considerably increased, although, in some cases, at a price which renders your petitioners unable to compete with sugar produced by slave labour, for it can be shown that the price to the colony of bringing a coolie from the East Indies, and carrying him back again after the expiry of his term of five years, amounts to the average price of an African or negro slave.

That, with the view of saving their properties from ruin, your petitioners are able to show that since the period of the abolition of slavery, they have expended a sum equal to the whole amount of the compensation which they derived from the Emancipation Act, on improved machinery, and in providing accommodation for an influx of labourers, which they had every reason to expect; but, your petitioners' hopes having been disappointed, it is now necessary for them to have recourse to a system in which they shall not be so much dependent on manual labour as they have formerly been.

That from the extent of uncultivated land, its fertility, and the great physical resources of the colony, there is a constant tendency to squatting, and to the purchase of small holdings, whereby much labour is abstracted from the regular plantations; and which causes will, probably for generations, tend to enhance the price of manual labour in the colony.

That one of the greatest difficulties with which your petitioners have to contend is, that the system of drainage in universal use in the colony, is only adapted to a state of society such as existed prior to the emancipation, when manual labour for every field operation was abundant, effective, and cheap.

That this system of draining, known as the open-drain and round-bed system, is altogether incompatible with the employment of cattle labour, the use of the most approved implements, and with the introduction of the numerous improved methods of agriculture, so well known elsewhere, and which, but for this obstruction, your petitioners would at once gladly adopt.

That the present system of drainage is, on a large majority of estates in the colony, incompatible with the production of sugar of average quality and colour, and entails on your petitioners an amount of loss by drainage on ship-board, which greatly reduces the profits, and renders the acknowledged fertility of the soil and fecundity of the climate to a great extent unavailing.

That your petitioners can show that were they enabled to adopt a more perfect system of drainage, admitting of the "thorough-drainage," and laying flat of the surface of the cane fields, many of the difficulties under which they at present labour would be obviated.

Your petitioners are of opinion that the following, among other advantages, would accrue from the introduction of thorough-drainage:—

1. The general use of cattle labour, and implements whereby the present difficulties in respect of high-priced, ineffective, and incontinuous labour, would be greatly reduced.
2. That the introduction of all the well known improvements in agriculture, applicable to the colony, as appears both from a consideration of principles and from the experience of other colonies, would be rendered to your petitioners practicable and easy.
3. That the quantity of the produce would be increased, and its quality improved; and
4. That cane cultivation would be less liable to the effects of protracted wet and drought, which at present occasionally interfere with the large returns which your petitioners might otherwise with considerable confidence rely on.

That your petitioners having been placed, by circumstances over which they possessed no control, in a situation of greater depression and hardship than that in which British agriculturists are placed, and being convinced, that since the rich and low-lying soils of this colony will derive greater benefits than British soils from an improved system of

drainage,

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drainage, your petitioners venture to hope that your Honourable House will be pleased to extend to them the advantages of that most necessary and judicious measure, the Act 9 & 10 Vict. c. 101, under such appointments and regulations for securing the fair and equitable administration of the same as to your Honourable House may seem fit.

May it therefore please your Honourable House to take the foregoing statements into consideration, and to pass for the colony of British Guiana an Act of similar import and tendency to the Drainage Act above referred to.

And your Petitioners, as in duty bound, will ever pray.

(signed) Peter Rose.
Jno. Croal.
Jas. T. white.
James Stuart.
John Jones.
Wm. Davison.
A. MacRae.
Thos. Porter, jr.
A. E. Listherby.
Henry G. Dalton.
J. W. Richardson.
W. S. Hamilton & Co.
John Cooper.
James Goulding.
A. F. Obermuller.
A. Duff.
J. Reid.
D. Macdonald.
Robert Smith.
Colin Simson.
J. Drysdale.
G. C. Haylock.
G. R. Mackenzie.
T. Dakin.
H. Haywood.
Thomas Christiani.
Jas. M'Donagh.
John Matheson.
Geo. M'Donagh.
Fred. Winter.
O. N. Stewart.
Jno. M'Allaster.
Henry Clementson.
J. C. Allen.
Henry Herrlings.
George Walker.
Wm. Milne.
John Dunlop.
Jas. Stewart.
William Ashby.
R. R. Macfarlane.
James Moore.
F. Ouckama.
W. P. Lyons.
Jno. Simson.
D. Laroche.
F. C. Burnet.
W. G. Thomas.
P. H. Canzius.
Frans. Bird.
John Brown.
Alex. Robertson.
Richard A. Carter.
Robert Walker.
W. O. Canzius.
Chs. Conyers.
Saml. A. Harvey.
James B. Bell.
R. Coates.
Chas. F. Clark.
J. D. Davidson.
Wm. Alty.
Jas. Paterson.
Thomas Ashburner.
Matthew Steele.
Geo. H. Bennett.
Samuel Hanna.
N. H. Wenman.
D. Anderson.
J. F. Magee.
Wm. Hick.
Lewis Cameron.
Jos. Henry.
John Louson.
B. Hick.
J. Adams.
Geo. Little.
Sam. Barber.
James Dunlop.
Charles Radmo.
D. R. Scott.
James Donald.
J. J. Guthery.
Archd. Chambers.
J. Gordon.
W. M. H. King.
Thos. Clarke.
Henry Alty.
J. D. Gilbert.
Jos. Klien.
Wm. Burford.
Luchee & Co.
Geo. Jno. Luchee.
Robt. R. Edmond.
John M. Johnstone.
Thomas Garnett.
Alexander Garnett.
John Mackenzie.
Chas. Patmore.
Richard W. Egg.
Wm. F. Macdonald.
Peter Nicolson.
James Bartrum.
James Dallas.
F. W. Edwards.
H. T. Greaves.
Thomas Knight.
Will. Richardson.
John Fothergill.
D. Fraser.
Wm. Bine, jr.
Jno. Somersall.
John Sharp.
Richmond Fraser.
Alexander Sutherland.
Alexander Dempster.
Edmund Hawker.
William Fyfe.
John Cameron.
Geo. Adams.
James Christie.
John Alves.
Thomas Gunn.
John Fraser.
A. Ross.
J. C. Hanby.
G. B. M'Kenzie.
John Cameron, jr.

Matthew Jas.

(signed) Jas. M. Candies.
Baillie Chisholm.
Jules Dardien, manager of plantation Nitvlugt.
Willm. Hedges, a planter from 1801.
C. C. Drake, manager of plantation Stewart Ville.
A. M. Lurne, manager of plantation Leonora.
Jeremiah Jackson, manager of plantation Groenveld.
C. F. Milne, manager of plantation Der Amstl.
N. Rudder.
W. M. Odwin.
Hugh Greene.
H. A. Seear.
Jno. O'Connor.
Amd. Kemp.
C. van Gendisen.
Baron H. von Gruisheim.
J. G. Jones.
J. H. Daly.
Geo. Labalmondiere.
John Kilgour.
James Lyons.
C. G. Van Genderen.
John Richarder.
F. Halighoogt.
Malcolm MacNab.
George Fraser.
James Cruickshank.
James Gordon.
A. Gerard.
Henry B. Haylock.
Thos. Bailes.
D. Cameron.
C. H. Katz.
R. Stewart.
Jno. Hunter.
James Inniss, jun.
Chs. Monro Ross.
S. Heydon.
W. P. Latorff.
E. L. Christiani.
Doll Maclennan.
Rogton Rogers.
John Laurie.
John Kiel.
John Scott.
Henry Percy Hamer.
Henry Isaac Van Sluytman.
P. J. Savory.
Benjamin James.
Charles Lovel.
John Knox.
Thomas Norris Wilson.
John Goodwin.
Thomas Roake.
John Roberts.
Alexander Steuart.
Bathw. Gardner.
William Cort.
Philip Beamish.
William Paton.
Eyre Linch.
Richard Kelly.
Wm. Aug. Wolseley, M. D.
W. J. Davison.
M. C. White.
Geo. H. Gallup.
H. Easton.
Thos. G. Ruggles.
H. W. Quinton.
Geo. Laing.
Andw. Murray.
Hentzall Vaubaeely.
Battean Coolebus.
Edw. Hugh Watson.
H. R. Watson.
Wm. Carson.
L. A. Merteens.
Henry James Arnold.
Jno. Macfarquhar.
R. P. Waith.
Alexander Moffatt.
David M'Culloch.
A. M'Kenzie.
John Chichester.
D. M'Neill.
James Light.
Edward Hales.
Wm. D. Seaton.
William Hubbard.
William Fraser, jun.
Thomas Hubbard.
Thos. Mason.
Wm. Bongun.
J. A. Odwin.
Jas. Griffiths.
Dod. Cameron.
H. W. W. Munk.
James Smellie.
Thos. M'Creath.
Edward Gordon.
Henry Gell.
Thomas Fowler.
John E. Nicolson.
Wm. Robertson.
Robert Mashart.
J. M'Laughlin.
W. Byon.
E. Bishop.
H. B. Stack.
W. Beamish.
Geo. Chapman.
James Burgess.
A. D. Sutherland.
John D. Putson.
R. Johnston.
E. M'Millan.
A. Baird.
Wm. Jeffrey.
Jas. R. Walker.
E. Hicks.
E. Hicks, attorney of R. Temple & Co., A. Denvon & Co., J. & W. Earle & Co.
Jno. Ross, of plantation Rossfield.
Executors General Murray.
Executors Wm. Ross, of plantation Skeldon.
Wm. Ansell, proprietor of plantation Foulis.
James Laing.
George Laing, by his attorney James Laing.
A. Grant, part proprietor of Woodley Park.
Thos. B. Winter.
Thos. B. Winter, as attorney of Henry Barkly, proprietor of plantations Highbury and Reliance, also as attorney of plantations Eliza and Mary, and Deutichem.
Alex. Winter, by his attorney Thos. B. Winter.
R. Barnes.

Geo. Laing.

E. Hicks,

Appendix, No. 18. (signed)

E. Hicks, attorney of Thomas Williams, of London.
W. Boume.
John Daly.
J. B. Walraven.
H. Houston.
James Firebrace.
T. Bourne.
Jno. Postlethwaite.
L. Houston,
S. Darson & Co.
G. Fullarton, jun.
Robt. H. Burgh.
Charles Sherlock.
Thomas Newman.
D. C. Cameron.
Jno. Ferguson.
Alex. Frazer.
Geo. M. Shirley.
John Carew.
Wm. Bing, half proprietor of plantations Smithsen's Place, and Essendam and Sans Souci.
Wm. Bing, attorney of John Crosthwaite, of Liverpool.
Archd. Cameron.
F. Bestoccini.
Jno. Marriott.
J. S. E. Rigby.
Wm. Taitt Kewley.
John Hollingsworth.
Robert James Hollingsworth.
T. C. Hawes.
Matheson and M'Lachlan.
A. M'Lachlan.
Alex. Cameron.
Wm. Harris, for self, &c., attorney of T. Edgelow, residing in London.
C. E. Matthews.
Charles Kyte.
Donald Cameron.
Jno. Trench.
Jno. Campbell, jun.
B. E. Foderingham.
John B. Beresford.
F. J. Dill.
John Junor.
G. F. Schwartz.
Thos. Matthews.
N. A. Harris.
T. W. Stanley.
Chas. W. Bone.
Geo. Bone.
James G. Perot.
E. Westmorland.
Chs. Suvora, attorney of plantation Aurora, and lessee of plantation Good Intent.
C. H. De Wever.
George Prettejohn.
Barth Leslie Day.
Alex. Burnett.
Chas. Benjamin, proprietor of plantations Spring Garden, Pennsylvania, and Good Hope.
Jno. Downer.
J. J. Walker.
E. E. Olton.
Jno. T. Waith.
Jno. Munster.
Jno. Dongar.
Alex. M'Clymont.
E. S. Osborne.
John Cliff.

J. G. Scheld

J. G. Scheld v. Aussorg, M. D.
J. V. J. Verwayen.
T. H. Winter.
William Ralphs.
David Brodie.
John Marken.
Henry Gullifer.
W. O'Neile.
John L. Whyte.
Hilary Tilbury.
Joseph Edwards.
W. H. Hohenkerk.
James Langley.
James Prouse.
W. M'Laughton.
W. Mitchell.
P. Gonmaek.
D. Burges.
John Forte.
John Hastings.
Thomas B. Ogle.
W. M'Clintoch.
Robert Paton.
Ralph Ashington.
Mungo MacPherson.
Wm. Wales.
G. M'Donald.
J. G. Womb.
J. W. Thompson.
Edwd. Bunbury, proprietor of Evergreen, joint attorney of Sparta, and joint attorney of plantation Dover Castle.
William Playton.
R. Hay.
D. Mackintosh, joint proprietor of plantation Reliance.
Charles J. Lewsey.
G. P. Farrant.
Jno. Bonnell.
George F. Pickersgill, attorney of plantation Better Success.
John J. Forbes.
Donald Mackintosh.
Colin Ridley.
James Goulding, Walton Hall.
John Evers.
Frederick Stannell.
Edm. F. Leonara.
W. Crawford.
Lambert P. Henery.
J. B. W. Clementson.
Matthew Horn.
F. D. A. Todd.
H. G. Beverley.
Stephen Read.
Hugh Fraser.
W. P. Tark.
Jas. Fraser.
P. Feys.
Wm. T. Barrow.
Wm. Nash.
Wm. Ray.
Geo. Dansey.
J. De Vry.
T. H. Skelton.
P. Campbell.
Thomas Bell.
John C. M'Kenzie.
Benjn. Spooner.
Jas. Hayes.
H. Field.
E. Field.
Wm. Birch.

F. Caglin.

(signed) F. Caglin.
Donald Ross.
James Waldie.
Edmund Henery.
G. Patair.
H. Witentader.
Jas. Dean.
James Jart Ren.
Jos. Norton.
Wm. Percival Henery.
Charles A. Henery.
Benj. Popplewell.
W. Whitteenoiur.
Rupt. M. R. Ross.
T. Summers.
G. H. Bell.
J. Theilon.
J. Edmondson.
G. A. Bender.
Frans. Jackson, jun.
Just. Felix.
M. J. Simmers.
A. Maconochie.
J. M'Rod.
George Lowe.
C. M. La Rose.
T. S. Simmers.
John Scott.
E. G. Gemon.
Geo. F. Chinke.
A. R. Fitzhugh.
Thos. Campbell, jun.
H. Menzies.

TO the Honourable the Commons of Great Britain and Ireland in Parliament assembled.

The humble PETITION of the Proprietary Body and others dependent on the successful Cultivation of the Plantations in *British Guiana*,

Respectfully sheweth,

THAT only a very short time has elapsed since your petitioners and others of their fellow colonists addressed your Honourable House by humble petition, setting forth the distress which pressed so heavily upon them, and threatened to involve them and the colony at large in ruin unless their prayer for remedial measures was promptly granted by the British Parliament.

That since the said petition was forwarded for presentation to your Honourable House, the state of this colony has become highly alarming, and your petitioners emphatically declare portends at no distant period a dissolution of the bonds by which society is held together.

That your petitioners felt that whilst they had in their petition claimed the support of Parliament to alleviate their sufferings, it was nevertheless incumbent on themselves to endeavour, by an equitable mode of proceeding towards the agricultural peasantry, still further to lessen the cost of production, in order to palliate in some measure the disadvantage of their position in having to compete for the present with the staple products of slave labour.

That with this object in view your petitioners commenced with diminishing the salaries of the staff of the plantations, which being composed of persons sensible of the distressed condition of their employers, willingly acquiesced in the measure as one of paramount necessity; and following up this course of proceeding, proposed to the agricultural population a reduced scale of wages for the tasks hitherto performed, or a continuation of the old rates of remuneration for an increased quantity of work, based upon the tariff sanctioned by the late Governor, Sir James Carmichael Smyth, for 7 ½ hours' labour per day.

That although your petitioners have at a vast expense brought into use every practicable auxiliary power to manual labour which mechanical invention or science could suggest, short of thorough drainage and the use of the plough (the latter being altogether dependent in this colony upon the costly introduction of the former), and notwithstanding several of the manufacturing operations are rendered less labourious by the use of some of those mechanical powers to the persons employed about the sugar works, and also notwithstanding the wages offered by your petitioners are still beyond what the present prices of sugar and other staple products in the home markets warrant, your petitioners regret to say that their offers have been met by the labourers with a decided refusal, and at this moment an almost total cessation from field labour has taken place; the few estates which have any field or manufacturing operations going on procure it only from immigrant Portuguese and Coolies, together with a few of the staff of the properties, and even they are performing it irregularly, under fear of encountering the hostility of the Creole population, who are systematically practising a course of intimidation.

That since the Christmas just passed several fires have taken place of megass logies, whereby those costly and indispensable buildings have, with their large stocks of fuel for manufacturing the produce of the estates, been entirely consumed; and from the fact of no manufacturing operations being carrying on at the time on any of the estates where the fires have occurred, and also the remarkable circumstance of their taking place at such a crisis as the present, and in such unparalleled rapid succession, as well as from other circumstances elicited through magisterial investigation, there is little doubt of their being the work of incendiarism.

It is awful to contemplate the state of this fine colony at this eventful crisis; the temper of the labourers is soured, and they feel acutely the competition to which the produce of their labour has been exposed with that of slaves; but your petitioners have no

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means of shielding them from this disadvantage, although willing to share with them even more than their fair portion of the evils it has entailed, until by respectful representations they may be palliated or entirely removed through the wisdom of the British Parliament. But in this attempt to secure the temporary co-operation and submission to patient endurance of the labouring population, and to uphold the cultivation of the colony, your petitioners have utterly failed; the plantations are now, during the present rainy weather, fast running to waste, and this at a time when labour is most required to keep the cane cultivation free of grass, for the purpose of procuring a return from the soil.

Your petitioners are paralyzed at this state of things, unparalleled in the annals of the colony; they see their distresses and difficulties daily augmenting, and without the power by any exertions of their own (of the want of which they have often been unjustly accused by parties ignorant of the nature of their trials) to help themselves; for if your petitioners cease to cultivate their estates they become valueless and run to waste; on the other hand, if they continue to cultivate them under present circumstances, they must do so with the certainty of loss, a fact which is known to capitalists, who consequently have effectually put it beyond the power of parties to carry into practice, so that whilst the struggle to produce a better state of things is maintained the plantations are sinking into decay.

Your petitioners feel constrained to state to your Honourable House, that if relief be not speedily extended, besides a ruined proprietary body there will be a discontented labouring population pervading the once flourishing and productive province of British Guiana, its civil and religious institutions must disappear as the inevitable consequence, and the emancipated race relapse into a state of barbarism, which in the course of time may assume a character of antagonism and rapine.

Your petitioners, in this awful state of things, most urgently call upon your Honourable House to listen to their prayer for relief, and to save, ere it be too late, their properties and families from utter ruin. They confess that they see no hope of ever procuring the hearty co-operation of the emancipated population, in any attempt to compete with slave-labour produce, as it is evident that they were not led to expect that they would ever be placed in such a position whilst they had to provide themselves with the requisites which as a free population they consider they ought to acquire, the means of procuring by their ordinary labour, and unsubjected to competition with the produce of slaves, who are, in the slave colonies, as they are well informed, compelled to work for 16 hours out of the 24.

Your petitioners, therefore, in conclusion, humbly pray your Honourable House, deliberately, and calmly to take their condition into consideration, and that in your wisdom you may come to a decision that the free-labour produce of this colony and of other British possessions shall in future be exempt from all duties, as the products of integral portions of the British empire, and that for the purpose of the national revenue, those duties shall be confined to the produce of foreign countries.

And your petitioners, as in duty bound, will ever pray.

Peter Rose, proprietor of the sugar plantations Lima and Haarlem, and attorney of the sugar plantation Thomas.
James Stuart, proprietor of the sugar plantation Wales.
Jno. Croal, proprietor of the sugar estates Varseilles, Palmyra and Marionville.
Thos. Porter, junior., proprietor of plantation Paradise, and part proprietor of plantation La Ressouvenir.
D. M'Donald, attorney of George Anderson, proprietor of plantations Ogle and Supply.
Jno. Croal, attorney of the sugar plantations Vried-en-Hoop, and farm.
Thomas Games, part proprietor of plantation Hibernia.
Jas. P. White, proprietor of plantations Mainstay, Richmond and Success.
E. C. Johnson, agent for the estates Exmouth, Hampton Court, Coffee Grove, Henrietta, Columbia, Golden Fleece, Caledonia, Endeavour, New Bendriff, Canefields, Blenheim and Zulught.
Colin Simson, proprietor of plantation Ridge, Concordia, Sans Souci, and Hamburg, and agent for various estates in cultivation of sugar cane.
Peter M. Watson, joint proprietor of the estates Anna Catherine and Groenveld; and attorney of the estates Leonora, Turrchesi de Vrienden, Little Diamond, Industry, Providence, Helena, Vreyheide Lust and Melville, all sugar estates.
James Glen, joint proprietor and sole executor of the sugar estates Gunfield, Errles, and Profit, and of the coffee and plantain estate Henry.
John Reed, attorney of plantations Perseverance, Essequebo, and Benfield's Estates, Berbice.
Wm. Davison, proprietor of two estates, and as attorney of the proprietors of plantations Enterprise, Annandale, Stewartville, Marcas Pleasure, Friendship, Sarah, Good Success, Good Intent, and Devonshire Castle, sugar properties.
A. MacRae, attorney for plantations Lusignan, Hague, Nismes, Enterprise, Doovenhaag, Waterloo, and Endeavour.

Henry

Henry S. Bascom, proprietor of plantations Pennsylvania and Retrieve, and as representing plantations Chantilly, La Grange, Malgre Tout, Nouvelle Flandres, Windsor Forest and Belle Plaine.
John Jones, proprietor of plantations Hope and Belmont, and as attorney of plantations Chateau Margôt, Bee Hive, Lowlands, Hochpen, Blankenburgh, and Zulught, sugar properties.
Wm. Alty, J. Paterson, attorneys of Geo. Booker, proprietor of plantations Cane Grove and Sparta, also plantation Prospect, sugar estates and cattle farm.
J. Paterson, guardian of the minors Paterson, proprietors plantation Christianburgh, &c. &c., wood cutting establishment.
Philip Hughes, attorney of the sugar plantation Anna Regina.
Johnston Brothers & Co., merchants.
Thomas Kirkpatrick, co-sequestrator, plantation Canning's Lodge.
A. Duff, proprietor of plantations Spring Garden and Good Hope, and joint proprietor of plantation Groenveld, sugar estates, and merchant.
James Stuart, attorney of the sugar plantations Belle Vue, Better Hope, Good Hope, Philadelphia, La Penitentia and Profit.
Matthew Steele, proprietor of plantations Java and Rychderzee, and as attorney of the sugar plantations Vriesland, Cullen, Hy Van Aurich, Bladen Hall, Strathspey, and Great Diamond.
Edward Bosman, attorney of plantation John and Cove, sugar property.
Archibald C. Burnett, attorney of the sugar plantation Metal Meerzoro, and Walton Hall.
John Jones, as attorney of the sugar properties, plantations Belfield and Vesterman.
Edwd. A. French, attorney of the sugar plantation La Jalousie.
Henry Clementson, stationer and agent for estates.

British Guiana, 17 January 1848.

TO the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The humble PETITION of the undersigned Inhabitants of *British Guiana*, interested in the Cultivation of Sugar,

Showeth,

THAT the effects produced by the Act for the abolition of slavery, and by the Act 9 & 10 Vict. c. 63, intituled, "An Act for granting certain duties on sugar and molasses," whereby slave-grown sugar was admitted into Great Britain in competition with the produce of the British colonies, have inflicted on many of your petitioners grievous injuries, and heavy losses, and involved them in deep distress.

That your petitioners beg respectfully to state, that prior to the great social revolution of emancipation, the British colonies in the West Indies produced sugar and other tropical productions, not only adequate to meet the wants and consumption of Great Britain, but that a surplus remained which entered into competition with foreign sugars and tropical produce in the continental markets of Europe.

That in 1838 the irresistible force of public opinion in Great Britain, urged by principles of philanthropy, consummated the abolition of slavery in the West Indies. That the immediate effect of this great social change was the withdrawal of a large portion of the labouring population from agriculture, leading to an immediate diminution in the productiveness of the West India colonies, and to a great declension of exports, which created losses of vast amount to the proprietors of estates.

That the slaves of British Guiana were appraised on the just and equitable principles established by the Emancipation Act, and their value ascertained to be more than eleven millions sterling, while the compensation awarded to their proprietors amounted to little more than four millions; and the lands, buildings, machinery, and cultivation of estates, which were not taken into consideration in framing the Act, nor the jeopardy recognised in which they were to be placed by its operations, together with the property in towns, villages, and houses scattered throughout the province, were collectively of much more value than the slaves.

That in the Report of the Committee of the House of Commons, appointed in 1842, to inquire into the state of the West India colonies, the Committee state that "They regard the evidence which they have collected as being of a most important and interesting character. It closely affects that grand measure of emancipation, of which the British colonies in the West Indies have been and are now the scene. It bears immediately upon the future condition and prospects of those valuable dependencies of the British Crown, and it has, therefore, a claim to the deep and deliberate consideration of Her Majesty's Government and The House. They believe that the distress now prevailing in the colonies is very great, and requires immediate attention."

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That although the injurious effects of emancipation on the proprietary body were thus clearly established and recognised, the call for attention so emphatically and urgently made has been utterly disregarded.

That your petitioners might with justice have relied on the countenance and support of the British Government, and might reasonably have expected the sympathy of the British nation to be enlisted in their behalf, in promoting the successful developement of the great measure of emancipation; but contrary to sound policy, not only has all encouragement been withheld, but harsh and unmerited reproach has been systematically heaped upon the proprietary class. They have been accused "of not having reconciled themselves at a sufficiently early period to the treatment of their former slaves as freemen, of still relying entirely upon manual labour, without putting better implements into the workmen's hands, of not having expended an increased capital, of having derived no advantage from the high differential duties, and of such protection having been maintained exclusively to their advantage at the cost of the British nation."

That your petitioners respectfully submit that charges of this nature are utterly devoid of foundation. The duty and also the interest of proprietors of estates combined to stimulate their exertions in meeting the changes consequent on emancipation; and in making those changes subservient to the profitable working of their estates, every expedient has been adopted by the intervention of machinery of the best description to save manual labour. The aid of chemical science to promote improvements in agriculture has been called in, and every other resource which the proprietors could advantageously avail themselves of has been adopted to restore their properties to some degree of prosperity.

That your petitioners willingly admit the great increase of social comforts, and the moral and religious improvement of the emancipated classes, that have been produced by the Act of Emancipation; but your petitioners desire to call the attention of your Honourable House to the fact, that the same causes that produced effects so beneficial to the labouring classes, entailed on the proprietors of estates a vast amount of loss and distress. The fixed capital which had been invested prior to the emancipation, in buildings and machinery, and in the construction of canals for the purposes of drainage, the transport of canes and shipment of produce, amounted to an enormous sum. The scarcity of labour, which immediately followed emancipation, raised wages to a high standard. The proprietor, in despite thereof, had no resource open to him, except to abandon the whole of the fixed capital which had been invested on his property, and to permit the land to return to a state of wilderness, or to maintain it in some degree of productiveness at all risks. The latter course was generally adopted. The capital by which the contest for labour among the planters has been maintained, has not been produced from any revenue obtainable from their properties, but from the other sources or funds which they could command, or by means of the credit which enabled them to borrow the capital of others.

That it is evidently in accordance with general principles that the prosperity of any exporting country can alone be established by the increase in the marketable value of the commodities produced over the cost of their production; and the application of such surplus to enlarged production, indicates the prosperity of that country. The fund for the payment of wages is thereby augmented, and the demand for labour is increased. If, however, the cost of production exceed the value of the commodities produced, it necessarily follows that the country is retrograding, even although, by the aid of capital from extraneous sources, a high standard of wages is temporarily maintained, and the semblance of prosperity is spread over the surface of the country by the favourable condition of the working classes. Under such a system the foundations of society must necessarily grow weaker, and the whole fabric must ultimately give way; the capital and credit of the proprietors of estates must be ere long exhausted, or be diverted into some more profitable channel. Thus the source for the payment of wages will inevitably diminish, and the disasters of the proprietors will react with resistless force upon the labouring population, as well as upon every other class of society. The interests of all classes are closely and intimately united.

That your petitioners have further to state, that in this colony the most liberal provision has been made to establish public institutions, fitting and harmonizing with the progressive condition of society, and on a scale commensurate to its wants, and which necessarily entails an expenditure far exceeding the requirements of a period of slavery.

That the causes from which your petitioners have so deeply suffered, are further recognized and stated in the Report of the Committee of The House of Commons before referred to. The Committee state, "That the principal causes of this diminished production and consequent distress, are the great difficulty which has been experienced by the planters in obtaining steady and continuous labour, and the high rate of remuneration which they give for the broken and indifferent work which they are able to procure. That this state of things arises partly from the high wages which the insufficiency of the supply of labour, and the competition with each other naturally compel the planters to pay. That one obvious and most desirable mode of endeavouring to compensate for this diminished supply of labour, is to promote the immigration of a fresh labouring population to such an extent as to create competition for employment."

That your petitioners are reluctantly compelled to complain, that in the face of such testimony to the want of labour, the persevering and costly efforts of the colonists to procure it have been fettered by the British Government by unnecessary restrictions and limitations, and that their appeals and remonstrances have been neglected and disregarded.

That

That your petitioners have learned from ample experience that immigration from Africa is best adapted to the wants of this colony; immigrants from that quarter being, both from physical conformation and natural adaptation of constitution, best fitted for working under a tropical sun, and affording in the field that continuous labour which is so essential to the proper cultivation of the sugar cane.

That from circumstances arising out of the social condition of the Africans in their own country, it is impossible to procure them in sufficient numbers, without negotiating with and conciliating their chiefs, in order to induce them to permit their vassals and dependents to immigrate to the British settlements, instead of forcing them, by sale to illicit traders, to go to slave countries, where their condition of slavery is perpetuated. At present British planters get none but a few captured slaves, with occasionally some Kroomen; and surely it is more humane to take them direct from the coast, than to subject them to the horrible cruelties practised on board slave ships, and then (and then only) to admit them to the blessings and privileges of free British labourers. Your petitioners would therefore most earnestly impress on your Honourable House the necessity of a free current of immigration from Africa, without which your petitioners do not hesitate to say that this once splendid province will soon cease to export the usual staple productions.

That the claims of your petitioners to the favourable consideration of the Parliament and people of the United Kingdom, rest on the grievous losses and severe sufferings they have had to undergo while co-operating with their fellow citizens in wiping out the foul blot of slavery from the national escutcheon. This great end being accomplished, your petitioners were entitled to expect that slave-grown sugar should never be admitted to compete on equal terms with that produced by free labour. This opinion your petitioners hold in common with many good and distinguished men. Your petitioners respectfully draw attention to the following extract from the speech of the Lord Chief Justice of England, on the debate in regard to the admission of slave-grown sugar into the British market on the same terms as that of free-labour sugar:—"He thought it utterly impossible to talk of slavery and the slave trade with any degree of moderation, or, indeed, with any other feeling than that of the most perfect abhorrence; and the noble Earl (Clarendon) who commenced this discussion had expressed in very strong terms his detestation of that system. It was, however, rather difficult to suppose that this system could be regarded with any great abhorrence and disgust by those who proposed a measure which appeared to him directly calculated to aggravate the evil. It seemed to him scarcely possible the world would believe that those who now wanted cheap sugar at the expense of slave labour were the natural descendants of those who at all hazards, and despite all difficulties, contrived to abolish the slave trade. He considered that this country had incurred a very serious obligation to those parties who immediately suffered by the abolition of slavery in our colonies—the West India planters. He always felt that that class of people had been ill-used; the State had placed them in an unfortunate position, and the State owed them an indemnity."

That your petitioners cannot help expressing their indignation and dismay at the disastrous consequences which are likely to follow to them by the operation of the Act 9 & 10 Vict. c. 63, before referred to. By this Act, your petitioners are exposed to a fresh train of sacrifices; and the effect of it will also be to confirm and perpetuate in Cuba, Brazil, and Porto Rico, the inhuman traffic in slaves. Under an inadequate supply of free labour, it is impossible to maintain that tropical products can be produced as cheap by free labour as they can be in those countries by slave labour. One year's competition with those countries has clearly and fully established, even under some degree of protection, the hopeless nature of the struggle. In addition to the supply of slaves which are now received by those countries from Africa, the planters in Cuba, under the sanction, and with the assistance of the Spanish government, are introducing labourers from the east, under contracts extending to periods of from seven to ten years, at a rate of hire scarcely more than a fraction of that which is paid to immigrants in British Guiana; and which, combined with the annual supply of slaves, enables those countries to produce sugar at one-half the cost of what it is produced in British Guiana.

That your petitioners would earnestly recal to the recollection of your Honourable House, that the honour of the British nation is deeply involved in the success of emancipation. That great measure was maintained on the high moral grounds of humanity and religion. The moral feeling of the British nation having abolished slavery in the British West Indies, it was held forth as a great step towards the abolition of slavery throughout the world; but these high principles have been descended from, and they have been resigned for commercial advantages and cheap sugar.

That your petitioners, still suffering deeply from the consequences of the Emancipation Act, are now placed on the brink of ruin by the complete and sudden change of the colonial policy. Your petitioners affirm their solemn and deliberate belief, that, unless an immediate and permanent scheme of immigration from Africa is established, the Emancipation Act will unquestionably prove an entire failure. That unless such immigration take place, the colony of British Guiana, possessing an abundance of land of the highest fertility, and equally adapted for the production of an unlimited supply of sugar, coffee, or cotton, must retrograde and decay; while immigration so established, and followed up by the numerous improvements to which it would lead, would undoubtedly be the best method of discouraging the slave trade, and would ultimately extinguish that odious traffic, by affording the means of producing sugar by free labour on lower terms than by slave labour.

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That your petitioners beg respectfully to remind your Honourable House, that they are British subjects, inhabiting an integral part of the empire, and, as such, they humbly advance their claim to have the produce of the soil they cultivate admitted to consumption free of taxation, and on the same footing as the productions of the land in Great Britain and Ireland. Your petitioners cannot perceive that distance should have the effect of barring their right to be so treated. Sugar, the chief article of export from the colony of British Guiana, is of such a quality as, for the most part, to find its way direct to the sugar refiners of England, and ought, therefore, to be regarded as a raw material, and entitled, on the principle adopted by the British Government, to be admitted duty free.

That while your petitioners attach the greatest importance to African immigration, they are equally aware that vast advantages would accrue from the adoption of thorough drainage; a measure that would enable planters to avail themselves of cattle and implement labour with all the modern improvements of agriculture, whereby the deficiency of manual labour would ultimately be considerably relieved, and the labouring classes themselves elevated in the scale of civilization.

That your petitioners observe with satisfaction, that when your Honourable House withdrew the protection so long afforded to British agriculturists, you were pleased to compensate them with a loan for the purpose of enabling them to effect the drainage of their land. Your petitioners suffering more severely than their home brethren, and equally deprived of the protection they enjoyed for their agricultural produce, respectfully claim an equal amount of consideration; and that your Honourable House will grant them a loan, to be applied partly in promoting African immigration, and partly in effecting the drainage of their land.

That, in conclusion, your petitioners further beg to bring under the notice of your Honourable House, that they consider themselves fairly entitled to claim that the following remedial measures should be conceded to them:

1. A loan to be applied to the carrying out of African immigration under such regulations for securing the fair and equitable administration of the same as your Honourable House may deem proper.
2. A loan to be applied under proper regulations to the purpose of thorough drainage.
3. The admission into the United Kingdom of Muscovado sugar, as a raw material, duty free.
4. The free admission of molasses into the breweries and distilleries of the United Kingdom.
5. The equalization of the duty on rum and British spirits.
6. The admission of inspissated cane juice into the United Kingdom.
7. The placing the refining of sugar in the colonies on the same footing as in the British refineries.

May it therefore please your Honourable House to take into consideration the foregoing statements, and to grant your petitioners all, or such of the before-mentioned remedial measures as your Honourable House may see fit.

And your petitioners, as in duty bound, will ever pray.

(signed) Peter Rose, proprietor of plantations Lima and Haarlem.
Jno. Croal, proprietor of the sugar plantations Palmyra, Versailles, and Marionville.
Colin Simson, proprietor of plantations Hamburg, Ridge, Sans Souci, and Concordia.
A. MacRae, attorney of estates, and agent.
Thos. Porter, jun. proprietor of plantation Paradise, part proprietor of plantation Le Ressouvenir, and attorney of plantation Enmore.
C. Houghton, merchant.
R. M. Jones, proprietor, Hanstown, Rome, Success and Serghall.
John Jones, proprietor of plantations Hope and Belmont.
James Straub, proprietor of plantation Wales.
J. Gordon, proprietor, plantations Bel Air and Sophia.
Etienne A. Mauget, M.D. proprietor, plantation Kitty.
Jas. T. White, proprietor of plantations Mainstay, Richmond, and Success.
John Croal, as attorney of the proprietors of the sugar estates Vreed en Hoop and Farm.
D. Macdonald, merchant and representative of two sugar estates.
A. H. Kirkpatrick, merchant.
Colin Simson, as attorney of the sugar estates for the proprietors of plantation Union, plantation De Kindouw, plantation Bank Hall, and plantation Met en Men Zug.
John Bute, representative of plantation Schooner.
Alex. Wishart, proprietor of plantation Mary Ville.
A. M'Kenzie, proprietor, Strathaven.
J. J. Knight, planter.
Fred. Verbeke, manager of the British Guiana Bank, administrator of the sugar plantation Perseverance.
A. Duff, merchant and proprietor of plantation

Jas.

(signed) plantation Spring Garden, and part plantation Groenveld sugar estates.
John Corn. Schade, administrator of the sugar plantations Garden of Eden, Farm and Vrede and Rust, and Hofvan Holland.
Thomas Kirkpatrick, merchant.
Alexander Garnett, clerk in the British Guiana Bank.
G. P. Watson, merchant.
John Sere, representative of the proprietors of plantations Hampton Court, Henrietta, Coffee Gron, Columbia, Canefields, Golden Fleece, Endeavour, Caledonia on Wakenaam Island, Caledonia in the Pomeroon River, New Bendriff, Cane Garden, Elizabeth Anne, Blenheim, and joint for Zelught.
Nicolas M. Manget, part proprietor of plantation Kitty sugar estate.
Chas. Benjamin, merchant.
Wm. Knox, painter and glazier, by his attorney John Morison.
Jno. Campbell, sen., merchant.
A. Pearson, proprietor of plantations Henrietta and Phœnix, and administrator of plantations Wisselvalleghed and New Osterbeck.
Sam. Barber, merchant.
G. Pontifex, coppersmith.
H. Hatton, merchant.
J. W. Richardson, stationer.
Robert Allen, merchant.
George Snel Grove, planter.
Chas. Setleyn, clerk.
Curtis A. Fleming, planter, manager of plantation Versailles.
Wm. Hy. Corbett, planter, head overseer of plantation Versailles.
John Culpeper, overseer of plantation Versailles.
H. Reif, householder and manager of plantation Onderneeming.
James W. Manns, manager of plantation Malgre Tout.
Francis H. Strong, overseer.
G. Bascom, planter, manager of plantation Vreed en Hoop.
Jno. I. Dawson, planter, head overseer of plantation Vreed en Hoop.
Dan. E. Powell, overseer of plantation Vreed en Hoop.
Frederick L. Gowrick, overseer.
D. Scruby, householder and farrier.
Wm. Chamney, planter, manager of plantation La Grange.
George Bradshaw, overseer of plantation La Grange.
Henry Beamish, overseer of plantation La Grange.
H. Watman, proprietor of plantation Goed Fortuin.
Thomas Fleming and David Fleming, engineers and millwrights, property Eden Bank, &c., &c.
S. H. Hoola Van Muter, administrator of plantation Garden of Eden.
W. Burford, merchant.
Wm. Bruce Ferguson, merchant.
Chas. Conyers, merchant.
R. G. Butts, proprietor of plantations Alness, Mocha, and Onderneeming.

Jno. C. Preston, merchant.
Hy. Bell Irving, merchant.
A. Drolyon Netsoker, proprietor of plantation Flein Ponderoyers.
Jas. Alexander, merchant.
Jas. & Wm. Alexander & Co., proprietors of plantation Hoop en Vreis.
Geo. Labalmondine, proprietor of plantation Goed Vernachting.
Tho. Bankmin, merchant.
James Templeton, merchant.
Jos. Baurn, landed proprietor.
Wm. Alexander, merchant.
Geo. F. Pickersgill, planter.
D. Lyng, representing plantation Windsor Castle.
John Morrison, planter.
Jas. Paterson, merchant.
Brooks, Brothers, & Co., merchants, attorneys of the proprietors of plantations Cane Grove and Sparta.
Eyre Lynch, part proprietor of plantation Broom Hall.
John B. Gray, planter.
James Gordon, planter.
Edwd. Ar. French, attorney and proprietor of plantation La Jalousie.
Edwd. Borman, attorney of plantation John and Cove.
A. B. Goring.
Peter M. Watson, merchant and proprietor of estates.
John Reed, attorney of the proprietors of the Benfield Estates.
Richd. A. Dacy, proprietor of plantation Hyde Park.
Samuel F. Barden, planter.
Munery Brothers & Co., merchants.
Matthew Steel, attorney of plantation Vriesland, plantation Cullen and Hoy Van Aurch, part proprietor of plantation Hibernia.
Thomas Garnett.
J. F. Bee, butcher and grazier.
Solomon Swetnam, merchant.
Henry S. Bascom, proprietor of plantation Pennsylvania, and representing plantations Chantilly, La Grange, Malgré Tout, Nouvelle Flanders, Windsor Forest, and Belle Plaine.
Chas. Lyness, Merchant.
John Watson, Spirit Merchant.
A. Reach, assistant minister, St. Andrew's parish.
Wm. Dawson, proprietor, and as representing plantations Enterprize, Annandale, Stewart Ville, Friendship, Sarah, Maria's Pleasure, Good Success, Good Intent, and Devonshire Castle.
James Laing.
Laing Brothers & Co.
B. E. Foderingham.
Jno. Thompson.
James Ross.
Charles Matheson.
A. M'Lachlan.
Matheson & M'Lachlan.
Jno. Smith.
S. Dawson & Co.
Jno. Ferguson.
H. Menzies.
W. B. Cameron.

Jno.

Jno.

Appendix, No. 18. (signed)

Jno. French.
H. P. Bull.
T. C. Harris.
Geo. S. Clunk.
Francis J. Dill.
E. Westmorland & Co.
Robt. Marshall.
Maxwell Ward.
Michael Innes.
Arnes Janym.
R. R. Richardson.
Robt. H. Bridges.
Charles Sherlock.
B. Chesholme.
F. Bestoccini.
Alexander Fraser.
Lambert Fowler.
W. H. M'Donald.
John Cavan.
H. L. Beard.
Colin Matheson.
J. W. Ayres.
James T. Jones.
Samuel R. Harris.
A. Groder.
Patrick Thompson.
Thomas Matthews.
G. Fullarton, jun.
Archd. Douglas.
E. Crocker.
Jas. W. Dawson.
Angus Campbell.
W. H. Moore.
J. Macintosh.
R. Garratt.
Dan. A. Melville.
Ed. A. M. Kidd.
Chas. Ross.
P. Nicolson.
W. O'Donoghue.
A. Grant.
Wm. Corlett.
Jas. G. Macdonald.
Robert Semple.
A. M. Innes.
Benjn. Longmore.
Walter Lorimer.
Jno. K. Cameron.
J. B. Kip.
James J. Aitken.
Donald Ross.
George Lowe.
William C. Wilson.
John Scott.
John French ×.
Jacobus Dykin ×.
Alexander Joseph ×.
Robert Akers ×.
Henry Ranken ×.
John Felix de Quey ×.
October Ernest ×.
Myalla Johnson ×.
Edward George ×.
Lambert Alexander ×.
P. Douglas.
Jas. Montgomery ×.
Henry Laing ×.
Rodk. Fraser ×.
J. T. Tobias ×.
J. Cottam.
Adrian ×.
Sam. Cameron ×.
Hugh Niel ×.
John Hughbury ×.
James Burnett.
Nathaniel Brook ×.
Christian Damon ×.
Cudgoe Fraser ×.
D. M'Donald.
Peter Kent ×.
Jeremiah Kelly ×.
Robspeare ×.
Cornelius France ×.
Hector Morrison ×.
Paul O'Really ×.
John Delair ×.
George Felix ×.
Lafleur ×.
James Smith ×.
William John ×.
George Gurnall ×.
Albert Lee ×.
James Scott ×.
Bob Smith ×.
William Shaw ×.
Jonas Soult ×.
Friday ×.
Phillip Lubyne ×.
Jerry Price ×.
Cornelius David ×.
Boston Hobson ×.
Anthony Walcott ×.
Lubyne Moses ×.
Christie ×.
Alexander ×.
Hector M'Intosh ×.
Thos. Johnson ×.
Henry Ernton ×.
Adam King ×.
Jacobus Kinrow ×.
Rotterdam Benjamin ×.
Tommy Smith ×.
Lewis Harris ×.
John Reverend.
Richard Fox ×.
Baltore ×.
James Mann ×.
George Kurion ×.
Tappio ×.
June Horttin ×.
Black Jack ×.
Jonas Kendrick ×.
Quoco Ferdinand ×.
Adrian Jonas ×.
Cyrus M'Intosh.
William Laing ×.
Manratt ×.
Albert Hook ×.
Leander Spemburg ×.
Franscio France ×.
Cupido Hull ×.
Nelson Nicholay ×.
February Duncan ×.
William Hidicker ×.
Andres Palor ×.
George King ×.
Cato Smith ×.
Glasgow Read ×.
Peter Laing ×.
Bertram Overing ×.
David Overing ×.
Cross Wirtrick ×.
Preston Mason ×.
Lewis Hindry ×.
A. Maconochie.
Tart Hull ×.
Anthony Kruythroff.
Johannis Wirtrick ×.

(signed) Fritz Lewis ×.
Frederick Laing ×.
Cupido Azores
Bethune James.
J. S. Mitteenouen.
Rupt. M. Butler.
G. H. Bell.
Francis Jackson, jun.
J. Edmondson.
J. C. Prass.
J. S. Summers.
Cornelius Fry.
Magnus Harris ×.
W. G. A. Morris.
G. A. Bender.
Fox Dunmore ×.
Lawrence Promise ×.
William Ferdinand ×.
John Felix ×.
Liverpool Sheldrake ×.
Christopher Isaac ×.
Morris Davis ×.
James Morgan ×.
Jacob Allard ×.
Robert Williams ×.
Tobias Charles ×.
Ceaser Bell ×.
Derrick Simon ×.
William Prince ×.
Alex. Welcome ×.
Romeo Thompson ×.
John Van Denbrook ×.
Pedro Gomez ×.
Thomas Brittom ×.
John May ×.
John Warjest Scott ×.
Michael Lewis ×.
Cornelius Felix.
October Ernest.
Thomas W. Moore.
Henry Jarvine ×.
Johnson June ×.
Benjamin King ×.
Henry Anthoney.
James King ×.
Albert Gillis ×.
Mary Marcus ×.
Bernard Marks ×.
Arance Westerlong ×.
James Farrals ×.
Daphne Monk ×.
William Adolph ×.
William Fraus ×.
La Rose Agone ×.
John Gomez ×.
August Henry ×.
David Van Denbrook ×.
Daphne Peter ×.
Firman William ×.
Dingsdae Joseph ×.
Hescut Joseph.
Carel Christopher ×.
Thomas Lewis ×.
Frederick George ×.
Jacob Benjamin ×.
Chas. Snoard, attorney and manager of three sugar estates, and lessee of of one.
Alexr. Baird, planter and storekeeper.
James M'Dougall, teacher and catechist.
C. H. De Wever, planter, overseer.
Thomas Seward, manager.
George Luscombe, planter, overseer.
J. Warren, teacher.
Jno. Langley, clerk.
Elia Jeffry, carpenter.
E. E. Otton, planter, manager.
James P. Walker, acting missionary.
John P. Walker, storekeeper.
Jno. S. Waith, planter, overseer.
James J. Walker.
George R. H. Walker, mariner.
W. B. Stenk, M.R.C.S.L.
George Pettijohn, planter, overseer.
Rod. Johnston, planter.
Henry Prime Garnett, planter, manager.
Isaac Wrong, planter.
Jas. Jno. Lewes, planter.
Henry Hollis, planter.
James Woods, planter.
R. M. Clayton, planter.
John J. Forbes, storekeeper.
Thomas Little, clerk or storekeeper.
W. H. Hohenkerk, clerk or storekeeper.
E. Bishop, proprietor of plantation Zorg.
Joseph A. Carbery, planter.
A. G. Murray, planter.
A. D. Sutherland, planter.
Charles J. Lewsey, engineer.
H. F. Hohenkerk.
Wm. English, Wesleyan minister.
Thos. Trotman.
A. B. Dodson, coppersmith.
Edwin Bishop, planter, overseer.
Hugh Ross, planter, overseer.
Geo. Chapman, boatbuilder.
John Steele, seaman.
William O'Neill, planter.
Jos. E. Johnson, cooper.
Donald Ross, planter.
M. L. Sessong, planter.
G. E. Anson, blacksmith.
William Ralphs, planter.
Donald Young, planter.
T. H. Fowler, planter.
David Brodie, mechanic.
Charles Hall, carpenter.
Harrowar Oatto, carpenter.
Otto Pietre Juhlfs, boat builder.
Bovell Jones, planter.
John G. Tinckler, planter.
Dod Camern, planter.
Thomas Sheil, tradesman.
J. N. Fenton, planter.
C. F. Gourick, planter.
Henry Woolford, planter.
Geo. Ross, planter.
R. Smith, planter.
J. E. Tyror, planter.
Isaac Henry, sen., planter.
Frederick Dunn, planter.
Frederick Spellen, planter.
Samuel Sargeant, planter.
William Coples, tradesman.
W. E. D. Feleen, tradesman.
Isaac Henry, jun., planter.
Richd. Edghill, planter.
W. H. Alexander, planter.
J. M. Fraser Drosson, M. D., &c.
Walter Musterd.
Thomas Bagot.
Thomas Yearwood, planter.
Robert Mackenzie, planter.
D. Want, planter.
W. Glater,

Appendix, No. 18. (signed)

W. Glater, planter.
T. Barkey, planter.
Archd. Robe, planter.
William Gill, A. M., rector of St. Mathew's.
Jno. George Gray, planter.
P. Edghill, planter.
W. Ranken, M. D.
Henry Montamoux, planter.
G. A. Mark, planter.
Archd. Livingston, planter.
John M'Nab, planter.
Andw. Jackson, planter.
Wm. Roberts.
Donald Mackintosh, proprietor of Reliance.
Robert Ridley, planter.
James Prouse, builder.
H. M. Roper, planter.
Thomas B. Ogle, planter.
Geo. S. Anderson, planter.
Thomas Townsell, planter.
James Tyson, planter.
Edward C. Dansey, planter.
John Sturge, planter.
John E. Newsam, storekeeper.
Jas. Wotherspoon, planter.
John Bissett, planter.
Jas. R. Hendren.
C. W. B. Kenyon, planter.
Watkin M'Clintock, planter.
Richd. Bradshaw, planter.
A. B. Dodson, coppersmith.
J. R. Young, engineer.
Henry Gullifer, planter.
James Fraser, M. D.
Philip Hughes, planter.
Alex. J. M'Hutchin, planter.
P. D. M'Pherson, civil engineer.
John D. Taylor, planter.
R. Hay, planter,
J. Dow, planter.
G. Patmore, planter.
Mungo MacPherson, proprietor of Perth.
A. Lentz v. Hofpten, planter.
Edward Prettijohn, planter.
Richard Parker, planter.
John Huncan, planter.
David Atkinson, merchant.
Christian Lamertz, planter.
John Evers.
J. W. Thompson, planter.
Fredk. Stanwell, planter.
Henry Bennett, planter.
John S. Turnbull, planter.
John Shapcott, planter.
W. Crauford, builder.
Benjamin S. Thomas, planter.
D. Bridges, medical practitioner.
William J. Cayter, planter.
John Hastings, builder.
W. J. Grunidge, storekeeper.
William Hunter, builder.
M. Fraser, planter.
G. Edwards, coppersmith.
F. G. Bayley, manager.
Wm. Pearson, overseer.
H. Bayley, coppersmith.
W. Parsons, bricklayer.
J. W. Banbury, planter.
George Breemer, overseer.
Wm. Campbell, overseer.
Donald Campbell, overseer.

Edwd. Bunbury, joint proprietor of plantation Sparta, and proprietor of plantations Evergreen, Somerset and Birks; also joint qq. plantation Devonshire Castle.
Robert Bunbury, builder.
William T. Smithett, clerk in holy orders.
James Paterson, storekeeper.
William Longhur, storekeeper.
Fredk. Frankcom, coachmaker.
A. Walket, planter.
Wm. Edmonds, accountant.
A. Nicolson, planter.
Geo. W. Mackenrie, merchant.
Angd. M'Intyre, clerk.
Joseph Anthony, planter.
Alexander Mackie, planter.
Alexander Smith, planter.
J. R. Croal, M. D.
A. Shaw, planter.
Edward Read, planter.
Daniel Stewart, carpenter and boat builder.
George Quesnel, carpenter and boat-builder.
Walter Napier, proprietor and planter.
Thomas Napier, merchant.
Samuel Timmerman, carpenter.
G. H. Spence, joiner.
T. H. Conway, proprietor and planter.
Jos. Bryden, planter.
Charles Falconer, planter, boat-builder and carpenter.
A. Tullock, storekeeper.
V. Wesener, planter.
J. C. Westley, bookkeeper.
T. E. Fitzgerald, tinsmith, &c.
Richard Barry, coppersmith, &c.
James Chapman, planter.
John C. Bichard.
John Ross, planter and proprietor.
H. Hutson, medical practitioner.
Duncan Macrae, planter.
Walter Russell, planter.
Thomas MacDonald, planter.
R. MacKenzie.
John Wilson, planter.
H. J. Dobnage, M. D.
Thos. G. Cowan, planter.
F. Verbeke, planter.
Andrew Maclean, bookkeeper.
Edward Gudge, brickmaker.
James Wm. Gudge, brickmaker.
Jno. S. Davidson, planter.
Charles M'Lean, engineer.
James Bairde, blacksmith.
Syme Tod, planter.
Finlay Matheson, planter.
Colin Simson, junr., planter.
Hugh M'Queen, planter.
John Cameron, planter.
Joseph Robinson, engineer.
James Ross, planter.
G. H. Goring, builder.
Robert Williams, planter.
Howard Leawood, planter.
James Wrong, planter.
Heyland Jackson, carpenter.
Joseph B. Corfer, teacher.
Joseph F. Hinkson, planter.
Alexr. Douglas, planter.
James Jones, tailor.
Abram Sam ×, foreman.

(signed) Joseph Dickson ×, carpenter.
Isaac Hector, farmer.
Robert Lorimer, planter.
Phincox Fifer ×, domestic.
L. A. Maclennan, planter.
Jas. Jardine, planter.
William Fraser, engineer.
Edward Lamprey, cabinet-maker.
Hugh Leslie Ross, planter.
Jno. Moffat, planter.
Dorval Labarde, sailor.
Kerr A. Briggs, carpenter.
James Cook, engineer.
Roderick M'Leod Ross, planter.
G. L. M'Kay, planter.
Wa. Spence, carpenter.
Alexr. M'Clymont, planter.
Geo. Atkinson, planter.
W. Hayley.
Benjamin Bunbury, captain.
Francis Ryly, coppersmith.
C. Dance, clerk.
Edw. Hugh Watson, planter.
Henry Richd. Watson, planter.
John H. Watson, shipwright.
Edward M. Birmingham, shipwright.
Theodore Gilbert, M.D.
Samuel Manning, catechist.
William Carson, planter.
Wm. Edw. Carson, planter.
Jas. Ross, planter.
Louis D. Ryck, woodcutter.
G. F. Pier.
Jacob Richd. Jansen, shipwright.
Edward Josiah Jansen, shipwright.
Jacob Burton Jansen, shipwright.
Eyre Lynch, planter.
Henry Brunjer, planter.
Chas. Wolsely, planter.
John Ferguson, planter.
Robert Paton, planter.
Thomas Donoghue, planter.
Alexander Stewart, planter.
Bathw. Gardner, planter.
Philip Beamish, planter.
George Drew Michell, planter.
John Clucas, carpenter.
Thos. Bailes, engineer.
W. P. Latorff, storekeeper.
John J. F. Schrack.
Henry Isaac Van Sluytman, commission agent.
Bolton Rogers, planter.
Colin M'Donald, planter.
Edward Tute, planter.
James P. Smith, planter.
James M'Ewen, engineer.
John Fredk. Bourne.
Thomas Forster.
Jas. D. Godfreys.
Benj. C. Eversley.
Thomas Eversley.
William Lynch.
Thomas Norris Wilson.
Andrew Johnston.
Henry C. Betts.
Thomas Roach.
John Gooding.
P. J. Savory, carpenter.
Samuel L. Read, planter.
John Roberts, engineer.
Davey Harry.
Henry Percy Hamer.
Wm. Augustus Wolseley, M.D., Edin.
H. B. Flockhart.
H. B. Flockhart.
R. J. Kelly, planter.
N. M'Chlery, planter.
D. Macrae, planter.
John Gibson, planter.
John Lawve.
G. G. Munro, planter.
B. & H. Hackett, planters.
A. Milroy, merchant.
A. Rankin, merchant.
J. B. Sharples, planter.
L. Nanen, planter.
George Bury, planter.
John Kirkwood, planter.
Charles T. Stewart, planter.
Thomas Venman, planter.
Donald M'Kenzie, planter.
Saml. B. Warren, planter.
George Duncan, planter.
Stephen Armand De Pradines, planter.
Richard Beamish, planter.
Henry Brindges, planter.
Peter Brunges, planter.
E. N. Canstar, planter.
Edwd. Edmunds, M.R.C.S.L. & L.A.C.
James Rogers, planter.
G. H. Hindricks, planter.
H. Watmansse, planter.
John Ross, manager of plantations Montrou and Felicity.
Andrew Black, overseer.
Stephen Scott Heydon.
Alexr. Douglas.
C. W. Monro Ross, manager of plantation Brothers.
George Booker, overseer, plantation Brothers.
Jno. Hunter, planter.
D. Cameron, planter.
John Scott, surgeon.
William Patterson.
John Pendleton.
Archd. T. MacFarlan, M.D.
William Matheson.
R. Henderson.
William Smith.
John Murdoch.
Adam Sils.
Wm. D. Elliot.
A. Verschund.
Henry Blake.
John Bryden.
Samuel Alexd. Svicviel.
E. F. Leonard.
William Smith.
H. D. Detering.
J. D. Davidson.
L. Levingston.
Arthur Livingston.
Roderick Fraser.
H. C. Verslecg.
Neil Gilchrist.
E. H. Jordan.
Thos. Titman.
M. W. Jennings.
Wm. Elliot.
Hypolite, fils.
F. A. Matheson.
A. F. Milne.
James Paton, M.D.
John Wm. Lucas, manager of plantation William.
Geo. Condrecourt, overseer on plantation William.
Andrew

Appendix, No. 18. (signed)

Andrew Kemp, manager and co-proprietor plantation Zeeberg.
Thomas P. Heraut, proprietor of plantation Zeeberg.
E. F. Luthers, overseer on plantation Tusschen de Vrienden.
George Sutherland, manager on plantation Tusschen de Vrienden.
John Fordyce, of Ledestin.
Hugh Greene, manager plantation Vergenvegen.
C. I. Schmidt, overseer plantation Vergenvegen.
A. A. Seear, manager plantation Philadelphia.
N. J. Walcott, overseer plantation Philadelphia.
James Wright, overseer plantation Philadelphia.
John O'Connor, manager plantation St. Christopher.
George Miller, planter.
James Fulton, planter.
Jules Dardier, manager of Urtolugt.
Jeremiah Jackson, planter.
John Malmgren, planter.
James Williams, storekeeper.
Robert Johnston, storekeeper.
Nathaniel M'Donald, mechanic.
John Kilgour, manager plantation Anna Catharina.
John Richards, overseer on plantation Anna Catharina.
Alexander M'Laren, planter.
D. Cameron, overseer plantation Leonora.
John Swart Martin, overseer plantation Leonora.
Jno. de Munnick.
James Inniss.
C. F. Visser.
G. F. Prockter.
J. L. Prockter.

To the Honourable the Commons of Great Britain and Ireland, in Parliament assembled.

The Humble Petition of the undersigned Inhabitants of *British Guiana*.

Respectfully showeth,

THAT this highly fertile and once flourishing colony is reduced to a state of unparalleled distress; a considerable number of the proprietary body are ruined; many estates are already abandoned, and many others are in the course of abandonment; the mercantile interest is greatly depressed, whilst the labouring population, in many instances, are seceding from work and fast retrograding in civilization.

That the honour of the British nation is deeply involved in the success of the great measure of emancipation; a measure based on the high grounds of morality and religion, and which was held forth as the first step towards the abolition of slavery throughout the world. In obedience to the mandate of the mother country, the British colonists became the instruments for carrying out the Act of Emancipation; an Act which your petitioners conceive would have been highly successful, if it had been accompanied by measures for the encouragement of immigration, by wise and judicious internal regulations, and by a continuance of moderate protection to colonial produce in the markets of the mother country, during the progress of the experiment. It would appear, however, that the views of the mother country have undergone a change, and that considerations for the extension of its commerce with countries where slavery continues, have superseded and are held paramount to those which brought about emancipation in the British colonies; and to these new considerations the interests of the colonists have been completely sacrificed, at the very time when they were carrying into effect the former views of the British nation.

That the causes to which we may trace the existing disastrous state of things are:

1st. The want of continuous labour, which has caused so great a diminution in the exports of the colony, and which may be attributed to the Emancipation Act not having been accompanied by immediate arrangements for the introduction of immigrants to supply the deficiency occasioned by the withdrawal of a large portion of the population from Agriculture.

2d. The want of proper laws for regulating the relations between the employer and the employed; and of other measures called for by the altered state of society consequent on the passing of the Emancipation Act.

3d. The Sugar Act of 1846, which placed the British colonies in competition with slave countries, under circumstances of such inequality as to render the produce of the former actually insufficient to defray the cost of its production; and the persistance in that measure, notwithstanding it has been abundantly proved by the evidence taken before the Committee of your Honourable House, presided over by the late Lord George Bentinck, that sugar can be produced by slave labour at a much lower cost than it can by free labour in any British possession.

That the taxation to which the inhabitants of this colony have been subjected, at all times extremely onerous, has become absolutely insupportable; and your petitioners regret to say, that the efforts made by the colonists and the legislature to effect a retrenchment suited to their altered circumstances, have been met by determined opposition on the part of Her Majesty's Secretary of State for the Colonies; who, while refusing to permit any reduction in the salaries of the officers on the civil list in this colony appointed by the Crown, has sanctioned such a reduction in the neighbouring island of Trinidad, where unquestionably it was not more called for than it is here.

That

That your petitioners have just cause of complaint that the treaties entered into with foreign countries for the suppression of the slave trade have been shamefully and openly violated, and that thousands of unfortunate beings who are entitled to their freedom are still held in bondage.

That your petitioners have to express their disappointment, that the many promises made by Her Majesty's Government during the late Session of Parliament, in regard to the promotion of extensive emigration from Africa, and especially the conveyance, at the expense of Government, of captured or liberated Africans from Sierra Leone to the West Indies, remain up to the present hour unfulfilled. So far, indeed, from forwarding the captured and liberated Africans, as promised, the Right honourable Her Majesty's Secretary of State for the Colonies has positively refused to grant licences to vessels proposing to proceed to Sierra Leone to convey such Africans to this colony. Your petitioners feel they need not here dwell upon the fact, incontestably proved and now universally admitted, that Africans are far better suited to the climate of British Guiana than any other class of people whatever, and that, if introduced into this colony, their social and moral condition would be very materially advanced and improved.

That your petitioners would next bring under the consideration of your Honourable House the important subject of compensation. At the period of emancipation the slaves of British Guiana were appraised by Government Commissioners, and valued at upwards of eleven millions sterling; at the same period, the fixed capital in land, buildings, and machinery (which has now became nearly valueless) amounted, at the lowest estimate, to a like sum. But, notwithstanding this, the compensation awarded to the colony was but little more than four millions sterling; thus showing that property to the value of about eighteen millions sterling has been wrested from the colonists without any compensation whatever being made to them for its loss. Your petitioners fully admit that, for a national purpose, the State has a right to take possession of the property of individuals; but, on the other hand, it is bound to make indemnity; and in every instance of such appropriation on record, save the solitary exception of the Emancipation Act, this principle of justice and equity has been acted on.

That your petitioners, as British subjects, conceive they have good reason to complain that the produce of the colony of British Guiana should be subjected to fiscal imposts and regulations from which the productions of the mother country are exempted. Although residing in a colony, they submit they have not thereby become disentitled to the privileges of their fellow subjects in Great Britain, and they respectfully, but firmly, maintain that the productions of their colony, ought to be dealt with, by a liberal and impartial Government, on the same terms as the productions of any county in England, Scotland, or Ireland.

That your petitioners have to complain, that while the remedial measures they have asked for have been withheld from them, other measures, termed remedial, have been offered; such as a repeal of the navigation laws, and a loan of 100,000 *l.* The enactment of the former they strongly deprecate, as it would be anything but a boon to the colony: the latter they consider to be a sum totally inadequate to their wants, and only to be obtained on terms impracticable for the colony to comply with.

That your petitioners have lastly to submit to your Honourable House that the present legislative and financial institutions of British Guiana are unsuited to the existing state of its society.

That the constitution of the colony at present is:

1st. The Court of Policy, consisting of 10 members, five ex-officio, and five elective: the Governor of the colony presiding, and having on all occasions a casting vote.

2d. The Combined Court, consisting of the members of the Court of Policy and six Financial Representatives, elected by the constituency, and assembling once in each year, for the purpose of passing the annual estimate, and raising the ways and means to meet it.

That in the Court of Policy, the Government by the exercise of the Governor's double vote has at all times the power of carrying through that court any measure they may please, however objectionable it may be to the elective members of the court and prejudicial to the interests of the colony. By the exercise of the same arbitrary means, a veto can be placed upon the introduction and progress of any measure, however beneficial its object, when proposed by an elective member of the court; thus rendering the representatives of the colonists utterly powerless. In the Combined Court, where the elective members constitute the majority, the double vote does not exist; but by the exercise of an alleged prerogative, the Governor, when dissatisfied with a vote or resolution of such majority, can put an end, at any period of the session, to the functions of the court, thereby rendering it nugatory as respects the object of its institution.

That during the present year (1848) both of the above arbitrary expedients for controlling and rendering abortive the constitutional and legitimate functions of the Court of Policy and the Combined Court have been resorted to by successive Governors. Governor Light, in the month of March, by means of his double vote, not only carried through the Court of Policy the estimate for the year 1848 and 1849, amounting to the enormous sum of upwards of a million of dollars, in direct opposition to the votes of the five elective members of the court, but went even so far on another occasion as to prevent the elective section from placing on the records of the court the report of a duly appointed committee: and Lieutenant-governor Walker, in September last, when dissatisfied with a vote of a

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majority of the Combined Court in reference to the civil list, abruptly adjourned that court *sine die*. By this last-mentioned unconstitutional act very serious injury has been entailed on the colony, inasmuch as the tax ordinance of 1847 and 1848 having been suffered to expire on the 30th September, at least 150,000 dollars of the ordinary revenues have been for ever lost to the colony, and a further impediment to the general reduction of its taxation thereby occasioned. For these and other reasons your petitioners are of opinion that a change in the legislative and financial institutions of this colony is absolutely required for the protection of their just rights.

That in conclusion, your petitioners would enumerate the following as points in respect to which they conceive they have a right to claim the interference and aid of your Honourable House:

1st. The promotion of unrestricted emigration, on an extensive scale, at the expense of the British Government, from all parts of Africa.

2d. The adoption of immediate and effective measures for the better carrying into effect the treaties with foreign States for the suppression of the slave trade, and for restoring to freedom those Africans imported into Cuba, Porto Rico, and Brazil, now illegally held in slavery, in violation of treaties entered into by Great Britain with Spain and Brazil respectively.

3d. The payment to British Guiana of the balance of the value of the slaves, as appraised by Government appraisers, amounting to about seven millions sterling; and full indemnity for the losses sustained by the emancipation of the slaves, in the depreciation of the value of land, buildings and machinery, now rendered nearly valueless, amounting to eleven millions sterling.

4th. The full recognition of British Guiana as an integral portion of the British Empire, and the admission of its produce into consumption on the same terms as, and subjected to no other duties than, the produce of a county in the United Kingdom.

5th. The granting to this colony a loan, for the purpose of effecting drainage and other improvements to its lands, on the same terms and conditions as such loans have been granted to the landowners of the United Kingdom.

6th. The abolition of the legislative and financial institutions of the colony, and the substitution in their place of a Council and House of Assembly similar to those of the island of Barbados, and based on a franchise suitable to the existing state of society in the colony.

May it therefore please your Honourable House to take the foregoing into consideration, and to grant to your petitioners such relief and redress as Your Honourable House may see fit.

And your petitioners, as in duty bound, will ever pray.

British Guiana, Georgetown, Demerara,
29 December 1848.

Peter Rose
James Stuart
Thos. Porter, jun.
Wm. Davison
R. Anderson
Wm. Bruce Ferguson
John Jones
Wm. Brand
Colin Simson
John Seal
George H. Loxdale
O. Wolsely
Alexr. Martin
S. F. Magee
Charles Schuz
John Ramsay
G. M'Donald
D. Anderson
A. H. Kirkpatrick
W. G. Forte
R. Henderson
Thomas Kirkpatrick
James Donald
L. Livingston
John Macpherson
Thomas Garnett
Thom. Sutton
Lewis Wawn
Wm. Hick
Samuel B. Warren
Joseph Henry
Lewis Cameron

Thos. Forrester
C. Mann
Colin Smith
J. C. Allen
Lewis Cameron
J. S. S. O'Berne
Louis Brotherson
John Reed
Thos. Kelsh
Danl. Sullivan
Thos. H. Johnston
Isaac Henry, sen.
S. Brittlebank
Edw. Orford
R. A. Carter
Geo. Tighe
Matthew Steele
Jose Stubbard
S. E. Harper
Robert Schultz
William Stewart
Robt. Sivis
William Hatheson
John Kirkwood
Hy Jacobs
V. Bertocconi
Mungo Campbell, jun.
Daniel Thos. Murray
David Hill
Thomas Murray
David Mentor
William James

John Kelson
Nicolas M. Mauget
James Joseph H. Van Sluytman
Peter Thompson
James Brady
W. Bennett
A. van Ryck de Groot
Henry J. Lingken
James Lovegrove
John B. Smith
Richard T. Nurse
William Burgess
Thos. Hubbard
John Quin
Peter Andrew Clowston
John Mitchell
Marius F. Dekies
J. M. Silas
M. B. Mias
J. Harney
Henry Z. R. Dunbraek
Charles Grant
Henry Sampson
Arch. S. MacFarlan
John Pendleton
E. H. Jordan
William Rankin
William Kemp
J. D. Davidson
Will. Henry
R. MacKenzie
John Grant

Andrew

Andrew Kemp
Samuel S. Forté, M.R.C.S.L., &c.
William A. De Wener
Daniel Lee Reedon.
Robert M'Murray
C. N. Pieters
Jno. M. Spooner
John C. De Ryck
Charles Syness
Donald M'Leod
Ralph Ouseley
R. MacKenzie, jun.
William Dealey
Joshua Haynes
John Holmes
J. J. Woodroffe
R. C. Henderson, Minister of Zion Church
Chas. Benjamin
H. De Rooy
Donald Morrison
Benj. Popplewell
W. Burford, town councillor
Peter Wright
Alex. Samson Jeffrey
Thomas P. Heraut
Jacobus G. De Ryck
Peter Rogers
George Luscombe
S. C. Neischen
C. Caseley
Jos. Frost
Jno. Bayley
Thomas Kays
J. R. Brandt
James T. Brandt
William Trotman
Jas. Ross
Henry A. Waldron
L. Samman
M. S. Blacklock
John Braithwaite
Thos. Campbell
J. W. Peake
H. Crauford
William M. Craig
W. H. Rodgers
Wm. D. R. Graham
Jas. Graham
John Macmorris
T. H. Mackey
P. Thornton
Arm. Ratenburg
J. Reid
Robt. Rolfe
Robert Cream
A. Geo. Hart
James Swan
George Smith
Henry Hunter
J. H. Forrester
C. M. Fogelmarke
Samuel W. Barton
Jno. Stephens
A. H. Dodson
W. Reed
G. W. Maxted
Peter M. Watson
J. R. Edwards
Thomas Fraser
C. Wm. Morrell
John W. Gumtz
John Watt
William Snoor Dool
Wm. Knox
James Farquharson
Peter Ardenond
George Knox
Wm. Schulz
Wm. D. Briggs
Joseph T. La Maison
H. C. Brady
Benj. Fleming
S. Y. Hollingsworth
Thomas Gainfort
Henry Pakeman
Geo. Gowans
R. R. Macfarlane
W. R. Nichol
John Shaw
C. Friedricks
E. A. Nowers
Thomas Johnston
James M'Kenzie
G. T. Driver
W. Roberts
Geo. W. Bennett
Joseph Burnham
Robert Suter
Richard Christopher
Paul Massiah
William Jones
Jno. Clucas
Wm. Alty
James Paterson
Thomas Ashburner
Jno. M'Connell
John Dunlop
Jno. Cook
Tim. Lloyd
Wm. Jackson
C. H. Harman
Thos. Clarke
Robert Hubbard
John Faulkes
John Bascheyck
John G. Lewis
Charles Gres. Manson
William Bakker
Richd. Jones
W. O. Canzins
John Wade
A. W. Pewtt
Paul S. Massiah
Chas. N. Glannke
E. W. Massiah
Augustus Fraser
Nicholas Murrell
George James
P. R. Dowling
Alexander Garnett
Van Purrenatter
O. R. Croal
Henry Bayne
Henry Carpenter
Philip Wilson
Arthur Sweetman
Saml. A. Harvey
Michl. Cottor
James Heron
M. MacRae
Saml. Maxwell
James A. Williams
Jno. M'Douall
H. Chisholm
W. Howes
T. N. Smith
A. S. Slop
J. Howes
D. Clark
N. Shaw
G. W. Neal
John Smith
G. H. Moller
E. Mottet
William Biggs
Thos. C. Wishart
John H. Persick
Richard P. Taylor
Hy. MacRae
J. D. MacRae
Dow M'Millan
Joseph C. Whitehead
F. H. Stewart
William Pickford
Wm. H. Bryden
William Chason
John L. Foderingham
Willm. Burford, jun.
Rt. Buchan
P. D. M'Pherson
Robt. R. Edmond
Thos. Fauset
John Drysdale
R. P. Drysdale
H. Canzins
G. R. Mackenzie
Henry Hollis
Henry Oakley
James Thomas
Henry Clementson
Jas. M'Donagh
Chas. Tuckness
J. Matheson
Geo. M'Donagh
James Moore
James Adams
M. Geoghegan
A. F. Obermuller
J. Wortman
Chas. J. J. Colley
C. W. B. Kenyon
W. Burnett & Co.
E. Beckwith
William Stewart
Robert Allen
Anty. Martens
James Colmer
John Brown
Edward Waddell
Henry Gullifer
R. Jones
J. Waugh
John Alex. M'Kenzie
Samuel Warrell
Jno. Campbell
Alexander M'Kie
Conrad Coral
A. Reff
Thos. Pinkerton
Henry De Bakker
Duncan M'Lennan
Alex. M. Bethune
Hugh Grant
Sam. Barber
Duncan Campbell
William Henry Clune
Alex. Cunninghame
John Maclean
W. Adam
A. Bennett
Jno. M'Arthur
James H. Wilson
B. V. Abraham
Adam Heyliger
John Iaacson
Abm. Isaacson
James Dunlop
James Cruickshanks
Wm. Douglas
Charles Tadmore
William Forbes
Hugh Fraser
W. R. Burton
Robert Windisch
R. T. Nurse
John Ramsay, jun.
Wm. Scott
Wm. Canzins
John M'Kenzie

W. M. Odwin

Appendix, No. 18.

W. M. Odwin
Anthony B. Longuit
R. A. Dejoye
John Brown
Wm. R. Gill
Geo. H. Sergent
Henry Bruce
Chas. Kinchley
Favorite Lathrope
John A. Harris
Cleophas Rose
J. J. M'Kenzie
John Gibson
Geo. Christian Mertins
William Tomlin Cycir
William Bristow
Francis Wolff
F. W. Fraser
Gustavus L. Verry
John Tyrrell
John D. Patron
Jackob Schlatterer
A. Reach, v. d. m.
Edward Breton
William Jackson
Donald M'Lean
John Moore
Richard Smith
James Graham
Thomas Spooner
P. B. Albony
Benjamin L. Watson
P. H. Sheilds
J. H. Yearwood
John A. G. Watson
Charles Patons
W. Van Kinschot
John M'Nab
Dorval Labode
William Symes
Theophilus Lee
Charles Shipley
Duke Dean
James Richardson
H. Williams
Ernest Johnson
John Young
Geo. H. Sergent
William Sweetnam
Joseph Stutchbury
Joseph Mathews
Jas. E. King
F. Dummett
Jas. Macintosh
Henry M'Bready
John Roberts
Joaquin de Bazeros
Jeremiah Coals
George M'Dermott
Manoel Carlos d'Freitos
Ben. Walters
H. W. Merchant
Geo. Culpeper
Jno. Knell
John P. Burnett
H. R. Chawner
F. A. Matheson
John Hall
Thomas Buist
G. B. Hall
John Murfuland
Henry Berr Irving
Samuel T. Shackleton
Andrew Bell Irving
Wm. R Magee
Thomas Davis
Jno. L. Hill
J. E. Nicolson
C. F. Heyliger
H. Tennent
James Frankland
William Mansell

James Baynes
James Band
Thos. Harper
John S. Bell
J. Culpeper
Henry Koerl
William Savory
Charles M'Lean
C. H. Harman
J. R. Edghill
Samuel Simmons
Henry Dannett
R. G. Crawford
Chas. Wainor
Jas. J. Knight
W. H. Turner
E. G. Yerrens
John Kidd
D. M'Intosh
P. T. Dealey
R. Gumbleton
John A. Wimson
H. Dowdy
Jas. M'Kie
Chas. Conyers
Chas. Conyers, jun.
R. Walker
John Dunlop
A. Sempleton
Jas. Stewart
D. M'Kenzie
C. W. Dyce
C. Nicolson
H. Annum
Thomas Johnstone
Martin Moore
M. Leverock
Robert Smith
William Davis
J. J. Simmons
E. Cheret
John Keil
Wm. Keil
Chas. Alleyne
Geo. A. Dannett
Roland Byrce
Richard Haynes
H. Howes
James W. Whitsey
B. J. Godfrey
Geo. Chapman
Rowland Langford
A. Schroeder
Hinton H. Dewaver
Charles Schmidt
W. Hayley
A. Woodward
S. Weeks
James M'Pherso n
John Wilkie
C. Simson
Daniel Wishcop
Strother R. Simson
David Hill
Henry H. Haynes
James Wadley
Peter J. Savory
Geo. Gibson
John Simpson
James F. Powers
David Marshall
Alexander Buchanan
Thomas Busby
Alexander Romeo
George Edward Settle
C. W. Parrie, Jun.
George William Gill
George Humphrey
Abm. Salomons
Henry Thomas
William Watson
Edward Drew

J. E. Polaine
Thomas Thornor
Wm. H. G. Hart
James Philips
Henry D. Michell
Henry Smith
Cornelius Conway
Isaac Conway
John George Conway
Thomas Smith
Aaron Smith
A. B. Jones
W. G. Claxton
J. H. Faber
H. Simon
George Newton
Joseph Cleghorn
R. Jones
M. Murphy
Hector Hope
John Willock
E. W. Parris, sen.
William J. Totman
T. W. Bysk
A. C. Ridley
Thomas Pickering
Nathaniel Taylor
J. R. Arplies
Alexander Levy
J. H. Green
W. W. Back
John Leach
James Glendining
Alleyne Matthews
Duke Matthews
Isaac Trotz
B. N. Pieter, jun.
James Massiah
Percival Devonish
John T. Henry
Charles Greatheed
Jos. E. St. Leger
Thomas J. Benjamin
H. Pile
M. Franker
J. J. Cummings
H. C. Betts
A. Burton
Alex. Robertson
A. Kleyn
H. J. Burton
W. C. Roach
W. H. Williams
B. J. Pairandeau
E. G. Pairandeau
G. Leon Pairandeau
Jno. Holman
N. Jackman
Thomas Lenyor
S. M. Laroque
W. Galloway
O. L. Tousaint
R. W. Barclay
John Matthews
Robert Johnson
George Lerykin
Dorelic Fantensie
J. S. Bean
J. A. Mickle
S. Mosnetin
Robert Lucas
William Smith
Alexander Johnstone
James Frankland
J. J. Kennedy
W. Willibee
John D. Steele
B. Maul
John Haltstead
John S. Fexrien
Henry Lyng
Smith Frend

Peter

Peter Fantine
Geo. Wm. Bollers
Thomas Gordon
Geo. Little
R. Diconsum
Thomas E. Barry
John J. Fichrack
Thos. Norman Smith
Wm. M'Pherson
P. W. Kimker
Henry Hattorn
Daniel Thomas
Henry Louis
Henry Wilson
H. E. Barniver
W. W. O'Donnell
John Kin
Jacob Morcuiney
Thomas D. Barkey
James Roach
W. H. Frazer
Charles Blean
Alex. Simson
James W. C. W. Hammond
W. G. Thomas
Henry Stablecom
William Stalecom
Edward Wibbins
J. Kennedy
W. Thompson
H. Fraser
John Taylor
John W. Gumbs
Henry Zimmerman
Matthew Mackinlay
Richard Barry
John Van Cooter
William R. Moore
Joseph Gullin
Joseph Bower
John Brandon
John Thos. Richardson
Henry Ralph Brotherson
Wm. R. Fisher
Henry Pike
James Manswell
Richard Rock
Louis Brandt
John D. Welsh
Edward T. Yearwood
A. Rosessnith
J. L. Gollett
Augustus Chapman
James Rollox
John E. Watson
John Spanis Cornelius Van Eeten
A. M. Bean
James Lovick
A. H. Boters
Wm. Bradley
John Jos. W. Lynch
Christopher Shurland
A. Vallier
Wm. Campbell
Robert and Bridges
Geo. M. Kersley
Alex. Grant
Charles Sherlock
A. R. Hollingsworth, Jun.
John Malater
Henry Oldfield
W. H. M'Donald
James C. Monay
Thomas Kennedy
R. Barnes
Simon F. Matheson
Gavin Fullarton, Jun.
Allan Cameron
Thomas Darnley
P. J. Hopkins
Donald Charles Cameron
J. Chisholm

James Irvine
R. R. Richardson
James Irvine, Jun.
W. H. Perot
Benjamin Hore
Donald Cameron
John Cameron
H. P. Ball
E. G. Waring
R. T. Brand
James Davson
John C. Davson
Jno. Ferguson
Charles D. Lyle
B. E. Roderingham
E. Hicks
Charles Kyte
W. Scott
B. Jirqtes
Jas. E. Rigby
John Melvill
F. Bone
Charles Waters
Charles Ross
Frans. Jackson
Geo. W. Metulley
Chas. A. Bone
A. R. Fitzhugh
W. French
Wm. Campbell, jun.
P. C. Harris
Wm. Harris
George L. Davson
William Simpson
A. Cartmann
Edw. Henry Ries
Luigi Psaita
A. F. Muirhead
Jas. L. Muirhead
Wm. Hopkins
A. Alexander, C.M. M.D.
Robert Stevenson
Alexander M'Intosh
R. W. Edwards
William Steele
F. J. Dill
G. B. Davies
D. Macintosh
Henry and Bone
G. Waldie
Thomas W. Adams
Peter Nicolson
Hugh Campbell
Jno. M'Leod
Roderick M'Kince
Robt. Samuel, jun.
A. C. MacCalman
Jno. Campbell, jun.
Jas. Bourne
Samuel R. Harris
John Alvis
John B. Beneford
Robt. Harris
James P. Jones
J. Jaissin
J. F.
F. Betoccini
M. Payne
A. Gradin
James Ross
Jacinto Pereira
G. D. Preece
N. A. Harris
Thos. Ellisly
Thomas Matthews
R. Hart
E. T. Cameron, M.D.
Joao Gomes
Salvador Gonsalves
Hand and Melville
Charles R. Bell
Mary Jane Campbell
Helen Cox

L. Bridgewater
H. Dummett
E. Dummett
A. Dummett
E. Dummett
Louis Edmund Thornton Dummett
M. Eliotte
S. Ward
M. Artton
John Turk
E. Simpson
F. Nicholas
E. Ross
J. M'Farlane
E. Mackintosh
J. Thompson
Richard Thompson
M. A. de Perenges
A. J. Melville
C. Manson
H. Evan Nieuwenhoren
W. T. Ivan Nieuwenhoren
J. Costencader
John Fisher
Robert Edgar
Elizabeth Fisher
Mary Fisher
Margaret Fisher
Elizabeth Fraser
Edward Phillip
James Tapin
Henry Benjamin
John Brand Lyle
Alexander Charles
Richard Charles
Moses Matthew
William Charles
H. A. Knock, M.D.
Hugh Sproston
R. Fairweather
Alex. Winter
Archd. Douglas
F. L. Nicolay
Amable Grangenoi
Elisée Ariel
Amasis Ninna
Frances Douglas
Charlotte Douglas
J. Fredericks
C. Beresford
M. A. Katz
M. Jeffery
E. Smithson
C. L. White
Louis Hart
J. A. Ferrand
H. G. Philp
Donald Campbell
John Havimann
Will. Richardson
Geo. Adams
E. Buldey
James Fraser
John Dow
Joseph M'Onerey
James Forsythe
Thomas Forsythe
Thomas Phillips
G. Johnston
S. Davson
Lambt. P. Henery
J. B. W. Clementson
F. D. A. Todd
Matthew Horn
M. N. White
K. M'Kenzie
J. Kouler
W. Huntley
Polu Seys
Geo. Dausey
Walt. Goodrich

Appendix, No 18.

James Ferguson
A. C. M'Calman
John Somensall
Patrick Quin
J. C. W. Strik
Jno. MacDougall
Edmund J. Henery
Jno. Pell
Peter Mussenden
Elias Tansen
Wm. Nash
John F. Hart
Jno. Grant
Jacob De Vry
Jacob De Vry
Jos. Nuton
D. Buggelein
J. Hayes
John C. M'Kenzie
Robert Alexander Melville
Wm. Perceval Henery
Benj. Popplewell
Charles Henery
Edward Popplewell
George Quayle
John Fordham
John E. Griffiths
Richard Rogers
Joseph Archer
William Archer
Samuel Griffith
Adam Halves
John Rasett
Fredk. Jacobus Barrault
Henry Archer
James William Rogers
Robert B. Clarke
Jack M'Culley
Thomas Yearwood
John A. Bourse
Richard Yearwood
Griffin H. Bascom
E. Manuel Martinborogh
Abel Daniel
Geo. Booker, jun.
Edward W. Pierce
John Mingo
Hector M'Lean
Norman M'Lean
Jacob Jonas
Job M'Lean
Jonas Jacobs
Boson Neucarake
Donald Mackenzie
Rodney Bishop
Tobey Grant
Hy. Montamorix
Henry Peter Addelly
Jos. Seymore
A. Van Watercschoods
Adalph Elizée
L. A. Merteens
John H. Robert
William Smith
Charles B. Hunt
Daniel Adpi
Daniel Obahan
York Alexander
Thos. A. Osborn
Charles Inihoff
Charles Ince
Cornelious Lucst
James Gordon, jun.
Peter Syme
William Hart
John Collins
C. Hunt
Thomas White
Robert Gryne
Thos. Howard
Samuel T. Barden
Henry Thomas, jun.
Francis F. Brorman, sen.
John Cornelius Brorman
J. W. Conway
James Van Hersel
Waney Nulty
Robert Anthony
Bishop Sappin
John Joseph Charles
John Sam
Ernest William Brornar
Stephen Warren
Gwancey Jerris
A. Van Der Kruise
H. F. Vernede
T. A. Nusehey
W. Dunkin
Hugh Adams
G. E. Loneke
E. Loneke
John M'Intosh
Herman Beyé
James Stirridge
Nathan Bateman
James Stirridge, jun.
Samuel Sarjeant
Samuel Robert Stirridge
Hector Adonis
S. W. Emke
H. M'Donald
H. Haywood
J. Mackenzie
Sam. Caesar
Geo. Ross
Henry Polidor
Robt. Smith
Mic. Ro. Silva
G. G. Ross
Isaac Henry, sen.
N. I. Walcott
George Duncan
Isaac Henry, jun.
William Dublin Fileor
Hamilton Shexpune
Thomas Blake
Stephen Bolon
D. Cameron
R. H. G. Ewart
William Cort
William Van Cooten
Lochiel Samili
Chas. Conway
John L. Whyte
Jno. Culpeper
Malcolm Macnab
Geo. Rankin
John E. Tyror
George Fraser
A. Clark
John Macleod
John Richards
G. C. Haylock
Alexander Padmore
C. G. Van Genderen
John Whitchurch Davies
Andrew Jackson
Arthur Munro
S. M. Barnett
John Black
Faryd. M'Nicol
George Lillie
John Davis
H. C. Versteeg
Francois Prenelt
John H. King
C. W. M. Ross
A. D. Ross
Midas Otto
L. S. Herfaon
Samuel Poyne
James Innis, jun.
Alfred James
Henry Playter
T. Anthony Van Cooten
Patric Machray
Henry Isaac Van Sluytman
John Lewis
Bolton Rogers
Fred. Alstein
Adam Aurther
Frenk Walter
John Knox
Napper Asneo
Robert James
Thomas Highfield
Samuel Nicholls
Charles Brough
John W. Ashford
Samuel Shepman Read
Andrew Jackson
Thos. Harris Wilson
E. L. Chrishantz
Henry Stone
John William
J. G. Blackburne
James Macdonald
Jeremiah Jackson
Chester Douglas
G. G. Munro
S. R. Batts
John Ross
James Cruickshank
Trim Amon
T. A. Southwold
George Beathune
William Parker
C. H. De Wever
N. M'Chlery
Philip Julian
Thurse Giddens
Samuel Daniel
Francis Agard
John Cammell
M'Kenzie Dick
John Hoffel
Joe Christopher
T. F. Van Bercheyett
B. D. H. Hackett
Jno. Estwick
P. Pembeton
W. Reed
Henry Hart
Jno. Shanks
C. Adams
Timothy Henry
Chas. M. Playter
G. B. W. Playter
Quaco Pustelwaith
J. Hamilton Barnard
Evan Fraser
John Scott
John Carpraf
John Humong
Fred. Gordon
Rd. Green
Thomas M'Niell
George Moore
Jno. Thos. Chandler
William Timothy
Macco Haslyer
John Mortimer
Charles A. Manget
Nicholas Evertn
Thomas Venman
Louis Cornette
B. N. Hodgson
G. A. Gainfort
David Mitchell
Richard Schroeder
Thomas Chichester
Thomas Monaghan
Fenly M'Millan
Henry Robinson
John Valladares
Thomas Wrong

A. J. Van

A. J. Van Sluytman
Edward Borman
W. O'Donoghue
J. Harnan
Edward Dillon
John Ross Shiell
James A. Whaltham, M.D.
A. Grant
P. Burns
Hugh Culley
Zuly McRee
Thomas Harry
Plato John Murphy
Henry J. Murphy
J. C. Gehricke
Felix Ceaser
Lafleur Ceaser
Jacobus Dominick
Frans. Ceasar
J. C. Prass
J. P. Prass
William M'Camman
Cyrus Lewis
Quacco Moore
Creked M'Cannill
Thos. Lewis
Robert M'Crie
Cato M'Canmon
Parris M'Crae
Daly Chance
George Gransault
Cupido Goodluck
Watson Lewis
Sam. Wilson
W. J. Culley
Bernard Byrne
Anthony Howe
James George
P. Willis
W. N. P. C. Well
Hercules William Thompson
Lewis Francis
Lafleur Baynes
Walter Williams
James S. Cudjoe
Pollydore Nelso
Prince Thompson
Paul Francis
John Nelson
John E. Lowe
Thomas Nelson
La Rose Peter
Henry Hercules
Robert Blair
Jacob Johnson
Napoleon Ton
Dlomis Hill
Johannis McDonald
Stephen Lambert
Matthew H. Jennings
Anthony Murray
Fran. Harry
Wellington Whinfield
Jack M'Rae
Quammy Heney
Thomas Williams, jun
Moody Thomas
Chance Colin
James February
David Barry
Richard Purcell
Alexander Stewart
Bartholomew Gardner
Phillip Beamish
Alex. P. Milne
Henry Maudsley
William Robertson
Eyre Lynch
S. De Montel
A. R. Milroy
Wm. Grant
E. F. Evan

G. H. De Bakker
T. A. Farer
A. Tull
A. Simpson
A. Rankim
L. Bailus
John Melvin
Thomas Daniel Smith
Edward Athern
James Harrison
J. B. Sharples
J. E. Gissnore
T. H. Katz
Wm. D. Elliott
Jno. Mackay
James Johns
John Stewart
R. D. Park
Geo. Gregson
Jas. D. Godfrey
George Farrell
Benedict B. Bryant
Richard Beamish
Henry Bringes, jun
Fouger Henrick Pruyes
Alexander MacClymont
Lamac Leman
Henry Lewis
Alex. Gordon
Henry Peters Gabb
C. H. H. Du Fresne
James Duglas
James Pilgrim
Baytis Henry
James Bluies
Henry D. Arty
Filbert Horatio
Francis Wright
Peter M'Clure, jun.
Edward Tute
James P. Smith
Robt. Graham
Clarence A. Brandon
John A. V. Duntrack
Nelson Jackson
Edward Borman
Edward Edmonds
E. V. Caurar
Wm. J. Davison
Thos. Bailes
Robert Paton
Js. Stewart
Abm. Fox
Geo. D. Michell
E. Bishop
A. D. Sutherland
Barth. Leslie Day
Hilary Tilbury
Thos. Chettley
Evan M'Pherson
W. H. Hohenkerk
Joseph Biggs
J. J. Lewis
James Woods
Edwin Bishop
William O'Neill
John MacNeil
David Brodie
Harrdward Oatts
H. F. Hohenkerk
J. C. Hixon
G. E. Anson
Donal Ross
Herbert Bennett
J. P. R. Lahy
H. W. Flockhart
T. W. Buttler
David Cameron
Jos. Edwards
Edinburgh Dean
John Raine
John Bissett

Isaac Cox
Charles Young
George Chapman
John E. Newman
W. D. Popplewell
George Ellis
Benjamin Brezett
Thomas Kelley
J. W. Gittens
Henry C. Gittens
Geo. D. Dawes
Rich. Crapby
J. P. Heyliger
R. M. Clayton
Daniel J. Duty
Abr. Francis Anchroy
M. Pedres Garrett
R. Kingston
John De Silvia
John Evans
W. T. Kayle
T. H. Wenler
F. W. Hohenkerk
William Ralphs
R. Johnston
S. Tod
H. B. Sharpe
John Cameron
George R. H. Walker
John P. Walker
J. A. De Souza
James Skekel
A. Baird
R. E. Hendy
W. H. Burgess
Chas. Sirvard
W. D. M'Kenzie
Henry James Arnold
Robert Pearce Waith
John Sutherland Gordon
Wm. Downer
James Dewen
Hamlet Gentle
James Sutherland
Robt. W. Taylor
Andrew Macleod
Murdoe Franklin
James Light
Thos. Graham
Smith Charles Inness
Edward Hales
James Paterson
William Black
William Hubbard
W. Fraser, jun
C. W. Munro
W. S. Rutherford
James Graham
Edward Gordon
Benjamin Reed
George Percival
Alexander Thomson
John Percival
Geo. Percival, jun
John Bell
Theodore Gilbert, M.D. & J.J.P.
James H. Gilbert
Jacob R. Jansen
Wm. Carson
W. R. Newsum
Joseph B. Cooper
Peter M'Intosh
John Birmingham
Horatia Hally
William Keith
Ossian Suter
Thomas Keith
G. F. Pier
Knig Campbell
Paul Johnny
Pitman Dan
James Shepperd

Pitman

Appendix, No. 18.

Pitman Albert Daw
Edw. Waddile
Rowland Dick
Thomas Maddll
W. M. Robertson
Charles Harrison
John H. Haly
John Kilgour
George Sutherland
E. F. Luthers
Thos. Litman
Frederick L. Gourick
Jno. O'Connor
Hugh Greene
A. A. Seear
C. J. Schmidt
D. Arrott
Henry R. Odwin
E. Van Genderen
M. F. Dawson
Charles Wright
John Harrison
James Barclay
Charles John Small
Thomas Donald
Donald Skekel
E. F. Milne
Michael Vaughan
Thomas Merteens
John Cummings
John Watson
Thomas Kelly
D. Cameron
Wm. Morris
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TO

FIRST REPORT

FROM THE

SELECT COMMITTEE

ON

CEYLON AND BRITISH GUIANA.

Ordered, by The House of Commons, *to be Printed,*
18 *May* 1849.

297.

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Agricultural Implements. Improvements which have been made in agriculture in British Guiana; introduction and employment of agricultural implements, *Sandbach* 1518–1528.

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Observations upon the evidence of Mr. Higgins, in answer to Question 1932, relative to the appointment of certain aides-de-camp by Governor Light, *Holmes* 2505——It has been stated that all these gentlemen speculated very largely in estates; the fact is there were eight aides-de-camp at different times appointed by Sir H. Light, and all of them did not speculate in estates; list of those who did not speculate, *ib.* 2505-2508. 2512 *et seq.*——The office of aide-de-camp is without any emolument and without any public duty attached to it; it is a perfect sinecure, *ib.* 2509-2511. 2523-2525——How far any of these parties have failed, *ib.* 2512-2522——Explanation of witness's statements with respect to the aides-de-camp appointed by Governor Light, particularly as regards the purchase of estates by them, *Higgins* 2963.

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American Immigrants. Number of immigrants received into British Guiana from America, *Sir H. Light* 784, 785.

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Apprenticeship. Ill feeling created in the minds of the planters of British Guiana in consequence of their losing two years of apprenticeship, *Sir H. Light* 4——The principal cause of the opposition witness met with as Governor was his supporting the Government in carrying out emancipation, which deprived the planters of two years' apprenticeship, *ib.* 304-310. 327. 588 ——Opinion that British Guiana did not suffer any loss from being deprived of the two years' apprenticeship, *ib.* 308——Witness cannot remember whether he ever informed the Secretary of State of the unpopularity of the measure for the abridgment of apprenticeship, *ib.* 317-322.

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Arrindell, Mr. Statement of the civil list establishment of British Guiana, as proposed by Mr. Arrindell, and carried in Combined Court in April 1840, together with a note of such reductions therein as Sir Henry Macleod has assented to, *Rep.* i. *App.* 241, 242.

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Bagot, Mr. Particulars relative to the purchase of an estate by Mr. Bagot, the assistant registrar in the colony, *Higgins* 1932-1954.

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Barkly, Mr. Observations on the evidence of Mr. Barkly before the Committee on Sugar and Coffee Planting, relative to the reduction of the salaries of all civil officers in British Guiana, *Higgins* 2039——Opinion that the appointment of Mr. Barkly has been acceptable to the colonists, *ib.* 2492-2498——Copy of Her Majesty's Royal commission appointing Henry Barkly, esq., Governor of the colony of British Guiana, *Rep.* i. *App.* 277-279——Copy of instructions under the Royal sign manual and signet, to accompany Her Majesty's commission to Henry Barkly, esq., Governor and Commander-in-chief in and over the colony of British Guiana, *ib.* 279-283.

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Black Population. The condition of the black population of British Guiana has greatly improved since emancipation, *Sir H. Light* 890–893.

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Breach of Faith. There was no breach of faith on the part of the Government in reference to the Immigration Ordinance, *Sir H. Light* 773——How far the Immigration Ordinance and Loan Ordinance of 1841 being disallowed was a breach of faith with the planters, the civil list being passed on the assurance of those two ordinances, *Sandbach* 1593–1601——Upon the disallowance and alteration of the Immigration Ordinance of 1841 the civil list for that year should also have been reconsidered, *ib.* 1603——Breach of faith on the part of the colonists in stopping the supplies, *ib.* 1710–1712——Witness does not consider the colonists to have broken faith with the Home Government in having stopped the supplies, *Higgins* 2048——Witness does not at all infer that the bargain made with the colonists in 1839 should be insisted upon, *Sir H. Light* 2958.

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Capoey Gaol (Essequibo). Numerical return of prisoners committed to Her Majesty's gaol at Capoey, in the county of Essequibo, for the years 1846, 1847, and 1848, *Rep.* i. *App.* 317——Return of the old offenders in Capoey gaol, showing the native country of the offenders, and the number of times committed in the years 1846, 1847, and 1848, *ib.* 318.

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Casting Vote. Power of the Governor to give a casting vote in all courts of which he is president; witness but seldom used this power, and then with extreme caution, *Sir H. Light* 525–527.

Chief Justice (British Guiana). Amount of the salary of the Chief Justice of British Guiana, and increase proposed to be made therein, *Sir H. Light* 54.

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CIVIL LIST:

1. *Generally.*
2. *First Establishment of a Civil List in* 1836 *; proposed Renewal thereof in* 1840, *and Opposition thereto.*
3. *How far the granting of the Civil Lists has depended upon the passing of Immigration and Loan Ordinances.*
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Examination relative to the proposals made by witness for increasing the civil list of British Guiana for 1841; the additional officers were much required, and the colony could well afford the proposed increased expenditure, *Sir H. Light* 53-79——Reason why witness could not sanction the civil list prepared by the Court of Policy for 1841, *ib.* 118-121 —— Explanation as to the civil list of British Guiana of 1836, *ib.* 128-132——Witness proposed a renewal of this civil list in 1841, with an augmentation of salaries, *ib.* 133, 134——Circumstances connected with the civil list of 1841; amendment proposed on the part of the colony; adjournment of the Combined Court *sine die* by the Governor, and stoppage of supplies in consequence, *Sandbach* 1142-1161.

3. *How far the granting of the Civil Lists has depended upon the passing of Immigration and Loan Ordinances:*

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Clergy. Amount of the charges contained on the civil list on account of the clergy, *Sir H. Light* 717, 718——Amount of the salaries of the clergy in British Guiana, *Sandbach* 1753——*See* also *Church Establishment.*

Colonial Legislature. Observations upon the evidence given by witness in answer to Question 2056, "That Governor Light makes, in one of his despatches, a suggestion that the colonial legislature might have been suspended by an Order in Council," *Higgins* 2319-2326.

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Colonial Office. The colonists have so often made representations to Her Majesty's Government respecting their condition, without deriving the results that they hoped to derive from those representations, that they have not much confidence in the result of any application they may make to the Colonial Office, *Sandbach* 1782–1785——Dissatisfaction of all parties connected with the West Indies with the way in which their cause has been dealt with by the Colonial Office, *Higgins* 2071, 2072——The work of the Colonial Office should be divided, *ib.* 2455——Some men who are practically acquainted with tropical affairs should be employed in the Colonial Office, *ib.* 2455–2457——Statement of the returns ordered by the Committee on 27 and 29 March and 3 April 1849, and returns made by the Colonial Office thereto, *Rep.* i. *App.* 333, 334.——*See* also *Administration of Justice. Immigration*, 3.

Colonial Secretary. Opinion of the colonists generally that the Colonial Minister at home is not sufficiently acquainted with the real state of the colonies, *Higgins* 2099–2101.

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Combined Court:

1. *Constitution and Appointment of the Combined Court.*
2. *Powers of the Combined Court over the Expenditure of the Colony.*
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1. *Constitution and Appointment of the Combined Court:*

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2. *Powers of the Combined Court over the Expenditure of the Colony:*

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See also *Acre Money* (Berbice). *Amendments. Civil List*, 1. 2. *Constitution of British Guiana. Estimates*, 1. 2. *Form of Government. Immigration*, 3. 5. *Reduction of Salaries. Revenue. Stoppage of Supplies.*

Commissioners of Public Buildings. Appointment and nature of the duties of the Commissioners of Public Buildings in British Guiana, *Sir H. Light* 862-866.

Complaints. Statement as to what witness considers the principal complaints of the colonists of British Guiana with respect to the administration of the colonial government, *Higgins* 2429 *et seq.*

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Constitution of British Guiana. Recommendation that in any alteration of the constitution of British Guiana care should be taken to concede to the legislature a greater control over the conduct of public affairs than they have hitherto enjoyed, *Rep.* i. *p.* ix—— Power of Her Majesty in Council to alter the constitution of British Guiana, that being a Crown colony, *Sir H. Light* 271, 272——Opinion as to the beneficial effect of altering the present constitution of the Court of Policy, so as to remove the positive majority of official members, *Sandbach* 1821-1824——The colonists should have the management of their own affairs, provided they do not interfere with the rights or with the general administration of the mother country, *ib.* 1822. 1829-1833——Meetings have been held in the colony on the subject of altering altogether the constitution of the colony, and giving it a council and assembly, *ib.* 1825, 1826. 1881-1895——Importance of some alteration being made in the constitution of the Court of Policy and the Combined Court, so as to remove all possibility of a collision between the Governor and the colonists, *Higgins* 2237, 2238. 2452-2454——The most necessary step to be taken is to give the Governor a little more or a little less power than he at present possesses, *ib.* 2238. 2452-2454.

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between the Governor and the colonists is very great, and that at a time when it could very ill bear it, *Higgins* 2452–2454——Copy of a despatch from Governor Barkly to Earl Grey, dated 26 March 1849, on the subject of a change in the political constitution of the colony of British Guiana, *Rep.* i. *App.* 330–332.

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Contract System. Objection entertained by witness to the system of contract labour, and advice given to the planters and negroes in British Guiana not to attempt it, *Sir H. Light* 40–46——Evidence as to how far witness interfered to prevent the making of contracts for labour in British Guiana, *ib.* 359–380——Statement of the laws regulating the contracts to be made with labourers in British Guiana between 1838 and 1846, *ib.* 754——Although permission was given to the planters in 1846 to make contracts with labourers, very few such contracts have been made, *ib.* 788, 789.

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Corporal Punishment. Corporal punishment is very rare in British Guiana, *Sir H. Light* 874.

Council of Government (British Guiana). The only change in the constitution of British Guiana which witness would recommend would be making a council of government, of which the Governor should be the chief, *Sir H. Light* 544——Opinion that the greater portion of the colonists would prefer a council of government in preference to the present government, *ib.* 824–826.

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Ordinance granted by him, 919-922——The Immigration Ordinance granted by Sir Henry Macleod was disallowed by Lord Stanley; amendments required to be made therein, 923——Previous to the receipt of the amended ordinance the Government had decided upon taking the immigration under their own special charge, *ib.*——Proceedings taken relative to the Immigration Ordinances in 1843; *ib.*

The last Immigration Ordinance was passed on 28 February 1848, founded upon a despatch of Lord Grey; objections of Lord Grey to that ordinance, 923–925——Extract from a despatch of Governor Light, dated 29 April 1841, relative to the satisfactory working of the Immigration Ordinance existing at that time, 926——Witness's knowledge is entirely gleaned from the despatches, he being private secretary to the Under Secretary in 1841, and not in the department in which the West India business was transacted, 927, 928. 933. 934——Opinion that Sir Henry Macleod's Immigration Ordinance of 1841 was not repealed in 1842; 929–931.

[Second Examination.]—Further evidence relative to the repeal of the Immigration Ordinance granted by Sir Henry Macleod in 1841; the ordinance of 1842 repeals it, but re-enacts it with some few amendments, 1131–1137——Protest entered by Mr. Rose in the Court of Policy against the passing of the Immigration Ordinance of 1 August 1842; 1136.

[Third Examination.]—Produces from the Colonial Office certain papers relating to the case of Mr. Craig, 2243–2246.

Craig, Mr. Particulars relative to the appointment of Mr. Craig as solicitor-general of British Guiana, he being an outlaw in England, *Higgins* 2148–2169——Authority on which witness made the statement that the same month that a person was appointed solicitor-general of British Guiana he was outlawed in England, *ib.* 2239–2242——Witness produces from the Colonial Office certain papers relating to the case of Mr. Craig, *Cox* 2243–2246——Evidence as to false charges having been made against Mr. Craig; Mr. Craig immediately wrote to witness on the subject; the Colonial Office perfectly exonerated Mr. Craig, *Sir H. Light* 2838, 2839.

Credit. The planters of British Guiana obtained credit to any extent from the capitalists of this country in 1838; they had too much credit, which was their ruin, *Sir H. Light* 5, 6.

Creole Labourers. Number of creole labourers in British Guiana when witness left the colony in 1848; this is a totally different class from the immigrants, *Sir H. Light* 1090–1091.——*See* also *Immigration,* 2. *Wages.*

Crime. Comparative return of commitments at Her Majesty's penal settlement for the years 1846, 1847, and 1848, *Rep.* i. *App.* 310——Similar statement from Berbice gaol, *ib.* 312——Similar statement from Mahaica gaol, *ib.* 315——Similar statement from Wakenaam and Capoey gaol, *ib.* 317——Similar statement from Georgetown gaol, *ib.* 319——Statement of the average number of persons committed for trial before the Supreme Court of Criminal Justice, at each of its sessions held in and for the counties of Demerara and Essequibo, in 1847 and 1848, distinguishing those committed under each head of crimes in the annual Blue Book, *ib.* 324.—— *See* also *Incendiarism.*

Crops. Abundant crops obtained in British Guiana in 1847, but, from the low prices, a great many did not pay their expenses, *Sir H. Light* 388–390 —— How far the abundant production of a colony is any test of its prosperity; this must depend in a great measure upon the prices, *Sandbach* 1488–1498.——*See* also *Labour.*

Crown, The. See *King's Chest. Queen's Chest. Powers of the Crown.*

Cultivation. Exertions made by the planters to improve their properties, by the aid of scientific agriculture, and by the best machinery, *Sir H. Light* 185–187——Extension of the cultivation of land in British Guiana, in consequence of the introduction of immigrants, *ib.* 386——Number of estates in operation in British Guiana in 1843, *Sandbach* 1458.

See also *Agricultural Implements. Crops. Drainage. Horse Husbandry. Improvements. Labourers. Over-cultivation. Plantations. Speculation.*

Customs Duties. See *King's Chest.*

D

Declaration of Planters. How far the signatures to the declaration forwarded from British Guiana are legitimate, and value to be attached thereto, *Sir H. Light* 258–264.

Demerara. Immigrants are being annually imported into Demerara, *Sandbach* 1432——Want of labour in Demerara, *ib.* 1433, 1434.

See also *Form of Government.*

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Deu Amstal Plantation. Particulars relative to the state of the Deu Amstal Plantation, in British Guiana, *Sir H. Light* 35.

Direct Taxation. See *Taxation.*

Disputes. Points of difference which have always existed between the colonists and witness during the ten years of his governorship, *Sir H. Light* 299–304——Witness had no difference of opinion with the colonists during the last three years he was Governor of the colony, *ib.* 315, 316. 589, 590——For the ten years witness was Governor of British Guiana, and also during the ten years before that, the colonists have always been at variance with the Government, *ib.* 326——The whole source of dispute between witness and the colonists was witness's disinclination, upon reasons given, to consent to a reduction of the civil list, *ib.* 1006–1010.

Distress. Distressed state of British Guiana, and means suggested for removing the existing distress, *Sir H. Light* 292–296——Distressed state of the colony in February 1848; it had not improved its condition in April, *ib.* 518–520——The planters of British Guiana are at present in great distress, *Sandbach* 1222.

See also *Prosperity of the Colony. State of the Colony. Taxation.*

Drainage. Advantages which would result from a system of tile drainage instead of open drainage, *Sir H. Light* 883–889. 917——Impossibility of applying tile drainage to the cultivation in British Guiana from the enormous expense, *Sandbach* 1900–1913——Witness considers tile drainage much better than open drainage, *ib.* 1906.

Duties. See *Excise Duties. Import Duties.*

E.

Earnings of Labourers. Amount of the earnings of the negroes in British Guiana, and cost of living in the colony, *Sir H. Light* 896–903——Amount which able-bodied labourers are capable of earning a day in Guiana, *Sandbach* 1911–1913.

Elective Franchise. Opinion of the Committee that any changes in the constitution of British Guiana should proceed upon the basis of extending the elective franchise, as far as may be deemed practical and prudent, *Rep.* i. *p.* ix——Evidence generally relative to the elective franchise of British Guiana, *Sir H. Light* 822–847——Probable effect of a popular and slightly extended system of elective franchise, *ib.* 875–877——There is not any strong or general feeling in British Guiana with respect to the extension of the franchise, *Higgins* 2236.

Emancipation. Losses experienced by the planters in British Guiana at first in consequence of the capricious and unsteady labour of the newly enfranchised negroes, *Sir H. Light* 39——It was the opinion of the inhabitants of British Guiana that the Emancipation Act would be the ruin of the colony; for the first four years the colony was in a very prosperous condition, *Sandbach* 1499–1504.

See also *Apprenticeship. Black Population. Immigration,* 3.

Essequibo. See *Administrator-general. Form of Government.*

Establishment. Statement of the civil list establishment of British Guiana, as proposed by Mr. Arrindell, and carried in Combined Court, in April 1840, together with a note of such reductions therein as Sir Henry Macleod has assented to, *Rep.* i. *App.* 241, 242.

ESTIMATES:

1. *Particulars relative to the passing of the Estimates for the Year* 1848.
2. *Powers of the Court of Policy and the Combined Court over the framing of the Estimates.*
3. *Power of the Governor in the framing of the Estimates.*
4. *Papers laid before the Committee.*

1. *Particulars relative to the passing of the Estimates for the Year* 1848:

Particulars relative to the passage of the estimate for the year 1848 through the Court of Policy; opposition which the proposed reduction of salaries met with, *Sir H. Light* 215–224——Desire of the Combined Court of British Guiana to postpone the granting of the estimate for the year 1848 until the result of the deliberations of the House of Commons on the condition of the sugar-producing colonies should become known, *ib.* 256, 257——Evidence relative to the bringing up of the estimate for the year 1848, and its passage through the Court of Policy, *ib.* 455–472——The estimate for the year 1848 was passed on 11 April, by witness giving his casting vote in its favour; how far this was in violation of the resolution of 29 February, postponing the consideration of the estimate till 15 May, *ib.* 496–514——Protest entered by the elected members of the

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ESTIMATES—continued.

1. *Particulars relative to the passing of the Estimates, &c.*—continued.

Court of Policy against the proceedings of the Court on 11 April as to the passing of the estimate, *Sir H. Light* 502. 514. 521, 522——Nothing can justify the Court of Policy in making the estimates contingent upon any law passed in this country with regard to protection or non-protection, *ib.* 960–984.

2. *Powers of the Court of Policy and the Combined Court over the framing of the Estimates:*

In consideration of the civil list granted in 1836 the Crown expressly conceded to the Combined Court, for the term of the civil list, the power of controlling the general estimate, which that court had for some years exercised without lawful authority, *Rep.* i. *p.* iv——The estimates are first formed in the Court of Policy, and the Combined Court has a right to move any amendment upon any item of the estimate, *Sandbach* 1768–1772.

3. *Power of the Governor in the framing of the Estimates:*

The Governor, generally speaking, has but little to do with the estimate; cause of witness interfering with the estimate of 1848, *Sir H. Light* 529–536——It is the duty of the Governor to prepare the estimate of the expenditure of the colony, *ib.* 591, 592.

4. *Papers laid before the Committee:*

Copy of despatch from Lord Stanley to Governor Light, dated 12th October 1842, relative to the various proceedings connected with the passing of the estimates and Tax Ordinance for 1842 by the Combined Court, *Rep.* i. *App.* 261–264.

See also *Combined Court*, 2.

Excise Duties. It would be a great benefit could the duties on wine and spirits, including the licences for the sale of spirits, be doubled and prevent smuggling; it would pay more than one-third of the expenses of the colony, *Sir H. Light* 192——Epitome of the difference between the amount of duty which would have been payable under ordinance of 1847 and the amount of 2½ per cent. *ad valorem* duty collected, *Rep.* i. *App.* 294, 295.

EXPENDITURE:

1. *Generally.*
2. *Causes of the increased Expenditure of the Colony.*
3. *Proposed Reduction of the Expenditure.*

1. *Generally:*

The Court of Policy and the local courts have the entire control of the expenditure of the colony, with the exception of the civil list, *Sir H. Light* 997. 1003——Witness has never known the general expenditure of the colony exceed its income, *Sandbach* 1529.

2. *Causes of the increased Expenditure of the Colony:*

Witness attributes the increase of expenditure which has taken place in the colony of British Guiana of late years to the immigration which has taken place, and which was desired and pressed for by the planters, *Higgins* 2305–2309.

3. *Proposed Reduction of the Expenditure:*

Witness does not consider the distress of the planters as any justification for reducing the public expenditure of the colony, *Sir H. Light* 193——Extent to which the expenditure of the colony might be diminished, *ib.* 324, 325——It is the wish of the colonists to reduce the expenditure twenty-five per cent.; this might be effected, but witness and the colonists cannot agree as to the items to be reduced, witness requiring the reduction to be made in the general expenditure of the colony, and the colonists requiring the reductions to be made in the civil list, *ib.* 332–349——Witness would not recommend any regard to be paid to the desires of the colonists as to their proposed reduction of the expenditure, *ib.* 405——The Court of Policy were not sincere in their desire to effect a general reduction of all the expenses to suit the state of the colony, *ib.* 486——The proposition for the reduction of the expenditure of the colony need not emanate from the Governor; any member of the Court of Policy may propose such a reduction, 593–595.

The reason assigned for wishing to reduce the expenditure of British Guiana, is the inability of the colony to defray the expenditure, the estates becoming bankrupt and the trade declining, *Sandbach* 1713–1727——Opinion that the whole general expenditure of the colony ought to be reduced, including the civil list, *ib.* 1728–1737——The colonists would be satisfied with a reduction of 25 per cent., *ib.* 1737——Amount to which the deduction of 25 per cent. would reduce the civil list; *ib.* 1749–1751——The reason why the colonists required the reduction of the civil list, was with the view of reducing all the

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EXPENDITURE—continued.

3. *Proposed Reduction of the Expenditure*—continued.

the other items of expenditure, that being the first item in the estimate, *Sandbach* 1752——The colonists are fully justified in endeavouring to reduce the amount of the expenditure, *Higgins* 2065——Statement of the average quarterly expenditure for supplies for 1849 of the police establishment, colonial and seaman's hospital, gaols, and penal settlement, *Rep.* i. *App.* 296.

See also *Civil List.* *Combined Court*, 2. *Estimates.* *Excise Duties.* *Immigration*, 3. *Revenue.* *Stoppage of Supplies.*

Expense of Immigration. The expense of importing the immigrants into British Guiana in the year 1847 was defrayed out of the general funds of the colony, *Sir H. Light* 790——The estimates of British Guiana have been swelling in consequence of immigration and the expenses attending upon it, *ib.* 985, 986——Sources from whence the funds necessary for defraying expenses of the introduction of immigrants into British Guiana were obtained previous to the passing of the Loan Ordinance in 1844, *Sandbach* 1530, 1531——There was no difficulty in raising public funds to meet the annual importation of labourers by annual vote, *ib.* 1682–1685——Yet it would have been much better for the colony if a loan had been raised, and the colony only burthened with the annual interest and redemption fund for that loan, *ib.* 1685, 1686——Return of the amount spent on immigration in each year since 1837, to the 16th September 1848, in the colony of British Guiana, *Rep.* i. *App.* 271.——*See* also *Immigration.*

F.

Fees. Surrender of all fees payable to public officers into the general revenue fund of the colony, and payment of the officers by fixed salaries charged on the civil list, *Sandbach* 1789–1819——By this arrangement the general revenue of the colony is benefited to the amount of 5,000 *l.*, so far as regards the civil list, *ib.* 1820.——*See* also *Sexton.*

Form of Government. Statement of the Committee that in order to explain the view they have taken of the question relating to the civil list it will be necessary to give some account of the form of government existing in the colony, *Rep.* i. *p.* iii——The constitution of Demerara and Essequibo, which, united in 1831 with Berbice, form the present colony of British Guiana, is of Dutch origin, and is very peculiar in its character, *ib.*——Nature of this peculiarity, *ib.*——At present the different powers, executive and legislative, of the colonial government, are exercised by the Governor and two bodies called the "Court of Policy" and the "Combined Court," *ib.*——Constitution of the Court of Policy, *ib.*

Statement of the Committee that it is obvious that this constitution does not partake at all of a popular character, *Rep.* i. *p.* iv——The attention of the Committee has been drawn to the general feeling which prevails in the colony that an alteration of the existing form of government is desirable, but the Committee refrain from offering any opinion upon the details of such alteration, *ib.* ix——Recommendation that any changes which it may be deemed necessary to make in the present constitution of British Guiana should be decided in friendly concert with the colonial authorities, *ib.*

See also *Constitution of British Guiana.*

Free Negroes. See *Continuous Labour.*

G.

Georgetown Gaol (Demerara). Numerical return of prisoners committed to Her Majesty's gaol at the city of Georgetown, in the county of Demerara, colony of British Guiana, for the years 1846, 1847, and 1848, *Rep.* i. *App.* 319, 320——Return of the number of military prisoners committed to Georgetown Gaol by courts martial in the years 1846, 1847, and 1848, *ib.* 320.

Glynn, Mr. Release of all apprentices by Mr. Glynn, in British Guiana, before the abolition of the system of apprenticeship took place, *Sir H. Light* 320.

Goodman, Mr. Particulars relative to the purchase of estates in British Guiana on speculation by Mr. Goodman, *Higgins* 1954–1972——Particulars relative to Mr. Goodman obtaining possession of the "Vrow Anna" estate, *ib.* 2013——Reasons for witness objecting to the statement made by Mr. Higgins, in his evidence, with respect to Mr. Goodman; witness disputes the propriety of saying that there was anything to blame in Mr. Goodman coming to terms with the owner of the estate; he took over the mortgage and paid for it, *Sir H. Light* 2864–2869.

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Government. Copy of a despatch from the Right Hon. Lord Stanley to Governor Light, dated 24 March 1843, acknowledging the receipt of the Immigration Ordinance, and stating that Her Majesty's Government had decided upon taking charge of all emigration from the West Coast of Africa to the West Indies, *Rep.* i. *App.* 260.

Governor of British Guiana:

1. *Observations and Evidence relative to the Salary of the Governor.*
2. *How far Sir Henry Light filled the Office of Governor with satisfaction to the Colonists.*

1. *Observations and Evidence relative to the Salary of the Governor:*

Opinion of the Committee that from the principle of revision, so far as the reduction of emoluments is concerned, the office of Governor of the colony ought not to be excluded, *Rep.* i. *p.* viii——The appointment of Governor was accepted by the present holder of it with the distinct intimation that the emoluments were liable to reduction, *ib.* ——Observations of the Committee on the increase made in the salary of the Governor of the colony in 1841, on the ground of the increased price of provisions, *ib.*——Opinion that the salary of the Governor is a fit subject for inquiry, not merely on the special grounds on which the increase in question was recommended still exist, but whether a salary of less amount than 5,000*l.* per annum would not suffice to induce a person perfectly qualified to undertake the duties of the office, *ib.* viii, ix.

Amount of witness's salary as Governor of British Guiana; increase which was made therein in 1839, *Sir H. Light* 52——Vacancy of the office of Governor of the colony, and attempt made to reduce the salary previous to the vacancy being filled up, *Sandbach* 1763-1767——Opinion expressed by Lord Grey, in a despatch, as to the proper salary to be paid to the Governor of British Guiana, *Higgins* 2068, 2069——Opinion that the salary of the Governor might be greatly reduced, *ib.* 2189–2201.

2. *How far Sir Henry Light filled the Office of Governor with satisfaction to the Colonists:*

There was no specific objection taken to witness's government during the ten years he was Governor of British Guiana, *Sir H. Light* 329–331——General approval of witness's conduct as Governor of British Guiana, by the Home Government, *ib.* 537–539——Addresses presented to Sir Henry Light on the occasion of the termination of his administration of the government of British Guiana; there were no counter expressions of opinion, *Higgins* 2170–2178——Evidence in refutation of the evidence of many of the witnesses misrepresenting witness's administration, *Sir H. Light* 2698 *et seq.*

Reference to the statements which have been made that witness was unpopular, *Sir H. Light* 2699, *p.* 183——He was so with the leaders under Mr. Rose, *ib.*——Witness would not advocate any large influx of immigrants till proper accommodation was secured, nor would he submit to a loan for which there was no use; he would not disobey instructions, and he would do his duty to the lately emancipated; these things may have rendered him unpopular with certain parties, but witness is convinced he was popular with a large body of the inhabitants, *ib.* 2699, *p.* 183, 184——Observation that the addresses to witness on his departure from the colony, to which several names of colonial members will be found attached, have been spoken slightingly of, *ib.* 2699, *p.* 185——Witness's levee before his departure was attended by several of them, and few Governors have had their embarkation or departure so respectably and numerously attended, *ib.*

See also *Amendments. Barkly,* Mr. *Casting Vote. Combined Court,* 1. *Constitution of British Guiana. Council of Government. Court of Policy. Disputes. Estimates,* 3. *Form of Government. Immigration,* 5. *Increase of Salaries. Light,* Sir *Henry. Patronage. Reduction of Salaries. State of the Colony.*

Governor of Trinidad. Amount of the salary of Sir Henry Macleod as Governor of Trinidad; no increase has been made therein, *Higgins* 2032–2036.

Grey, Lord. Evidence relative to the misrepresentation made by Lord Grey in his statement in the House of Lords on the 7th February 1848, on the subject of the strike in Jamaica in 1847 and 1848, when he asserted that the labourers had agreed to a reduction of wages, *Higgins* 2073–2089——Authority from which Lord Grey obtained his information on the subject, *ib.* 2076–2088——What witness intended to imply by his evidence in answer to questions 2074, 2075, and 2076, was, that when on the 7th February 1848, Lord Grey stated in the House of Lords that a reduction of wages had taken place, he was in possession of despatches, which had just previously arrived, which did not sustain that statement; witness still adheres to this assertion, *ib.* 2336–2405.—— *See* also *Immigration,* 5. *Labour Laws,* 1. 2.

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H.

Hawes, Mr. See *Labour Laws,* 1.

Herstelling Plantation. Memorandum showing the gross amount of revenue derived from plantation Herstelling, during the year 1848, the amount of expenses incurred, and the net profit to the estate, *Rep.* i. *App.* 310.

Het Vergenœgen Plantation. Abstract statement showing the result of the administration of the sugar plantation Het Vergenœgen, situate on the west sea coast of the county of Demerara, in British Guiana, under the curatorship of John L. Kennedy, administrator-general, from 1 January to 31 December 1848, *Rep.* i. *App.* 324.

Higgins, Matthew James. (Analysis of his Evidence.)—Proprietor of an estate in the colony of British Guiana, 1919——Has visited the colony on two occasions, in the winter of the year 1838–9, and again in the winter of 1846–7; 1920–1922——Statement of the difficulties which the proprietors of estates had to contend with in 1838 on the abolition of the apprenticeship, 1922 *et seq.*——The free negroes are exceedingly well behaved, but there is great difficulty in getting them to work regularly, 1922——Absence of all necessary law for the punishment of the negroes in the colony; in case of fines being imposed there is no power to enforce the payment, 1922, 1923——Issue of instructions by Lord Stanley to the governors of colonies in 1843, empowering the colonial legislature to enact a vagrancy law, 1923, 1924——Reply of Governor Light to Lord Stanley that the relation between labourers and employers was so satisfactory that it was unnecessary to disturb it by the enactment of new laws, 1923–1925.

Despatch of Lord Stanley to Governor Light, of 21 June 1843, recommending the passing of laws respecting contracts for service, vagrancy, and tenancy, if necessary, 1924, 1925——Reply of Governor Light, of 9 August 1843, that such laws were unnecessary for the colony, and they were consequently not passed, 1925, 1926——Proceedings which were taken in 1846 for the passing of an ordinance for regulating labour in the colony, 1927——No proceedings were taken for regulating labour under the ordinance of Lord Stanley, of 1843, until the year 1846, although Governor Light had been repeatedly urged to pass the ordinance, 1927, 1928——Opinion that no ill feeling was created against Governor Light on the abolition of the apprenticeship; he had nothing whatever to do with it, 1931——The representations made by Governor Light of the success of the estates and the industry and progress of the negroes were not well founded, 1932.

Unfair proceeding of Governor Light in the appointment of public officers and aides-de-camp, 1932——A great deal of the opposition which has been shown to Governor Light may be traced to the appointment of aides-de-camp, *ib.*——Great extent to which speculation in estates in the colony has been carried on by the public officers in the civil service, *ib.*——Particulars relative to the purchase of an estate by Mr. Bagot, the assistant registrar, 1932–1954——Also particulars of the case of Mr. Goodman, 1954–1972——Regulations existing in the colony as to the payment of deposits on the purchase of estates at execution sales, 1973–1980——Evidence relative to the appointment of Mr. Carbery as a stipendiary magistrate of the colony; and also as to his removal in consequence of becoming insolvent, and his being ultimately reinstated in his office, 1982–1991.

Duty of the registrar in British Guiana as to the settlement of sales of estates; power of the registrar to refuse to accept a purchaser, 1996–2002——Opinion that had not the civil list proposed in 1840 been agreed to, the Immigration Ordinance would not have been passed; grounds for this opinion, 2003–2012——The reason for the proposed increase of the salaries of the Governor and other officers in 1840 was the high price of provisions and necessaries in British Guiana, 2006, 2007——Resistance of the colonists to the increase of the civil list in 1840, until it was known that the admission of immigrants depended on its passing, 2009, 2010.

[Second Examination.] Further particulars relative to Mr. Goodman obtaining possession of the "Vrow Anna" estate, 2013——Correction of former evidence as to the duties of the registrar in accepting security for the completion of purchases, 2013. 2179–2184——Evidence relative to the appointment, duties, and salary of the provost-marshal of British Guiana, 2016–2022——Extracts from Parliamentary papers presented in 1842, on the West Indies, relative to the antagonistic views of Sir Henry Light and the colonists with regard to the prosperous state of British Guiana in the years 1839 and 1840, 2023 *et seq.*——Practice of parties purchasing estates on credit and disposing of them in lots to the negroes for ready money, 2024, 2025——Instances of public officers of British Guiana purchasing estates at public vendue, and contriving to hold them for some years without paying for them, 2025, 2026.

When Sir Henry Macleod was sent to British Guiana to settle the dispute between the colonists and Sir Henry Light, he agreed to the passing of an Immigration Ordinance, which was satisfactory to the colonists, 2027——Advice given by Sir Henry

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Higgins, Matthew James. (Analysis of his Evidence)—*continued.*

Light to Lord John Russell to disallow such Immigration Ordinance, and grounds on which he objected to the ordinance, 2028–2031——Amount of the salary of Sir Henry Macleod as Governor of Trinidad; no increase has been made therein, 2032–2036——The same argument might have been held for increasing the salary of the Governor of Trinidad as that used for endeavouring to increase the salary of the Governor of British Guiana, 2034, 2035——Proposal of Lord Harris to reduce the salaries of the public officers in Trinidad, to meet the pressure of the times, 2037, 2038——Observations on the evidence of Mr. Barkly before the Committee on Sugar and Coffee Planting relative to the reduction of the salaries of all civil officers in British Guiana, 2039.

Great loss to the colonists from the Loan Ordinance of 1844 for promoting immigration not having been sanctioned till October 1846; 2040–2047——Witness does not consider the colonists to have broken faith with the Home Government in having stopped the supplies, 2048——Opinion that it is unfair towards the colonists of British Guiana to expect them to pay the same salaries to the public officers now as were paid in better times, *ib.*——It is very unfair towards Guiana that the Colonial Office should sanction reductions in Trinidad and other places, and refuse permission to reductions in that colony, 2048, 2049——Loss to the revenue of Guiana by the stoppage of supplies; how far that might have been avoided, 2050–2060. 2063, 2064——The present employers of labour are in as low a condition as possible; many estates are being abandoned, 2061.

Witness does not agree with the evidence of Sir Henry Light that the taxation of British Guiana is equally diffused over the population, 2062——As the only exports from Guiana to any amount are sugar and rum, it is very clear that the chief burthen of taxation must fall upon the manufacturers of those articles, *ib.*——The colonists were fully justified in endeavouring to reduce the amount of the expenditure, 2065——Witness does not see how any governor could have given his support to a reduction of the salaries of officers receiving smaller salaries than his own, retaining his own intact; the reduction should commence with the highest salaries, 2066——Observations on the despatch of Lord Grey relative to the reduction to be made in the salaries of officers as the offices become vacant, 2067——Opinion expressed by Lord Grey in a despatch as to the proper salary to be paid to the Governor of British Guiana, 2068, 2069——Extract from the despatch of Lord Grey of 17 June 1848, relative to the stoppage of supplies by the colonists, and its effect in retarding the accomplishment of the desired legislative reform by interfering with the whole current of public business, 2070.

Dissatisfaction of all parties connected with the West Indies with the way in which their cause has been dealt with by the Colonial Office, 2071, 2072——Evidence relative to the misrepresentation made by Lord Grey, in his statement in the House of Lords, on the 7th February 1848, on the subject of the strike in Guiana in 1847 and 1848, when he asserted that the labourers had agreed to a reduction of wages, 2073–2089——Authority from which Lord Grey obtained his information on the subject, 2076–2088——Ill feeling engendered in the minds of the colonists by the various misrepresentations made as to the real state of the several colonies, by the respective Governors, in their despatches, 2089——Witness does not agree with Sir Henry Light that no reduction ought to be made in the salaries of the public officers of Guiana; there would be no difficulty in obtaining efficient officers for smaller salaries, 2090–2095.

Extent of patronage possessed by the Governor of the colony; most of the public offices are within his gift; this confers very great influence upon the Governor, 2096–2098——Opinion of the colonists generally that the Colonial Minister at home is not sufficiently acquainted with the real state of the colonies, 2099–2101——Impediments which have been thrown in the way to prevent the enactment of proper laws for the regulation of the labourers, 2102. 2108–2123——Statement as to the number of immigrants that have been imported into British Guiana since 1834, and number remaining at the present time, 2103–2107——Willingness expressed by Lord Grey, in his despatch of 23 May 1848, to enact laws for the regulation of labour in the colony, 2108.

Extract from the speech of Mr. Hawes, in the House of Commons, on 23 June 1848, on the subject of the laws existing in the colonies for the regulation of labour, and strongly condemning their severity, 2109——It would have been hopeless for the colonial legislatures to have proceeded to act upon Lord Grey's despatch, when they saw that the Under Secretary of State made such a speech as that in the House of Commons, *ib.*——No attempt has been made to carry out the recommendations of Lord Stanley for the enactment of labour laws in British Guiana, 2110–2123——Manner in which the strike in 1842 was amicably settled, 2119, 2120——Great advantage would have resulted from the contract for labour being introduced immediately on the abolition of the apprenticeship system, 2124.

Frequency of the negroes breaking their contracts, and great leniency shown towards them in the punishment awarded, 2124–2130——Private orders given by the Governor of the colony to the magistrates not to imprison the negroes; there is no means of enforcing the fines imposed for breach of contract, 2131——A provisional Act has been recently passed

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I.

IMMIGRATION:

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3. *Connexion between the passing of the Civil List and the Immigration Ordinance,*
4. *Evidence as to Immigration Ordinances passed in the Colony and disallowed by the Home Government.*
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2. *Importance of Immigration to the Prosperity of the Colony:*

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Labour Laws:

1. *Existing Laws for the Regulation of Labour in the Colony; Objections thereto.*
2. *Proposed Laws.*
3. *Impediments in the way of Enacting proper Laws.*

1. *Existing Laws for the Regulation of Labour in the Colony; Objections thereto:*

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bear the burden of taxation imposed upon them; this is contrary to witness's judgment, 1069-1071——The salaries of the officials not on the civil list might have been reduced without reducing the civil list salaries, 1072-1074——Proposed diminution of salaries of officers in Trinidad and Jamaica; the larger salaries were to be reduced in a greater ratio than the smaller salaries, 1075.

Appointment of a commission of the Court of Policy on the 10th April 1848, to audit Mr. Retemeyer's account of the revenue of the colony, therefore they must have been aware of the state of the revenue of the colony at that time, 1075-1077——Connexion between the civil list of 1839 and the Immigration Ordinance proposed; the Immigration Ordinance was proposed as a bribe to obtain the civil list, 1078-1082——Refusal of witness to grant the ordinance allowing the immigration of labourers from all parts of the world, 1083——Large number of immigrants imported into the colony under the ordinance granted by Sir Henry Macleod in 1840; 1084-1089——Number of Creole labourers in British Guiana when witness left the colony; this is a totally different class to the immigrants, 1090, 1091——Further evidence relative to the resolution come to by the Court of Policy on the 10th April, as to the inability of the colony to support the taxation, 1092-1106——Prostration of the planters from the low prices of produce, 1107-1111——Contemplated abandonment of estates by the planters from the low prices of produce, 1111——Grounds of witness's opinion that although the planters were greatly distressed, there was no necessity for reducing the taxation of the colony, 1113-1130.

[Fifth Examination.]—Evidence in refutation of the evidence of many of the witnesses misrepresenting witness's administration, 2698 *et seq.*——Refutation of the evidence of Mr. Sandbach, showing that witness had acted improperly in giving countenance to the negroes in British Guiana during the strike in 1842, and that witness had encouraged them in cessation from labour, 2699——Refutation of the evidence which has been given before this Committee that witness was surrounded by men who were bankrupts, *ib.*——Reference to the statements which have been made that witness was unpopular, 2699, *p.* 183——He was so with the leaders under Mr. Rose, *ib.*——Witness would not advocate any large influx of immigrants till proper accommodation was secured, nor would he submit to a loan for which there was no use; he would not disobey instructions, and he would do his duty to the lately emancipated; these things may have rendered him unpopular with certain parties, but witness is convinced he was popular with a large body of the inhabitants, 2699, *pp.* 183, 184.

Observations on the statements which have been made that witness would not carry out the Orders in Council of September 1838, and that he would not pass the Masters' and Servants' Act according to the draft of 1843, being copy of the Jamaica Act; reasons which witness stated to the Colonial Secretary for not interfering with the Orders in Council 2699, *p.* 184——Peculiar circumstances under which witness desired Mr. Mure, a stipendiary magistrate, not to carry into effect an award of punishment, *ib.*——Explanation relative to the statement that has been made that witness thanked the negroes in a circular during the strike on Mr. Higgins' estate; he thanked them for their orderly, peaceable behaviour, *ib.*——Under similar circumstances witness would repeat the thanks, for had the negroes been otherwise than peaceable the planters might have rued the result of their unwise combination, *ib.*

How far the accusation that witness vaunted the prosperity of the colony may be said to be founded in justice, 2699, *p.* 184——There is no doubt that the withdrawal of protection has diminished the value of estates, but even when the price of sugar was high the planters were not successful, *ib.*——Evidence in explanation of the steps which witness took during the embarrassment of the British Guiana Bank, 2699, *p.* 185——Observation that the addresses to witness on his departure from the colony, to which several names of colonial members will be found attached, have been spoken slightingly of, *ib.*——Witness's levee before his departure was attended by several of them, and few Governors have had their embarkation on departure so respectably and numerously attended, *ib.*

Clauses in the regulations which were set out which witness considers objectionable; reasons for forming the opinion that the whole of the clauses from No. 1 to No. 13 relating to labour and wages are oppressive to the labourers, 2700-2798——Way in which these regulations led to the strike, with further evidence generally relative to the strike, *ib.*——Measures witness took by which an agreement should be come to and disputes settled; there is a circular of witness's upon the subject, 2799-2801. 2804-2813. 2833-2837——The whole of witness's objection to the regulations is the mode of publication, and the want of power to enforce them, 2802, 2803. 2807-2813——How far witness questions the legality of many of these regulations, 2813-2833.

Evidence as to false charges having been made against Mr. Craig; Mr. Craig immediately wrote to witness on the subject; the Colonial Office perfectly exonerated Mr. Craig, 2838, 2839——In 1838 some Orders in Council were sent to witness to regulate the Vagrant Law, which he did not think fit to entertain till 1844, when he brought in and passed an ordinance; between 1838 and 1844, the labour of the colony

was

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was regulated by the Orders in Council of 7 September 1838; difference between acting under an Order in Council and acting under an Ordinance, 2840–2856——The planters did not consult witness in the rules they issued regulating labour in 1842; nor did they consult with the negroes or the labourers, 2856*–2863——Reasons for witness objecting to the statement made by Mr. Higgins, in his evidence, with respect to Mr. Goodman; witness disputes the propriety of saying that there was anything to blame in Mr. Goodman coming to terms with the owner of the estate; he took over the mortgage and paid for it, 2864-2869.

Particulars relative to the appointment of Mr. Holmes as provost-marshal, 2870–2874. 2883–2944——Under witness's administration the law was altered with respect to the duty of the Court of Policy in judging of the validity of securities; nature of the alteration, 2875–2882——The data upon which witness based his calculations as to the increase of the salaries in 1839, were the prices then current in British Guiana, 2945–2950. 2952–2957——How far the prices of provisions have since been reduced, 2951——Witness does not at all infer that the bargain made with the colonists in 1839 should be insisted upon, 2958——Statement delivered in of the names of the parties holding office in the colony; with remarks generally on their appointment, *p.* 201–204.

Light, Sir *H.* Evidence as to how far the administration of Sir Henry Light as Governer of British Guiana was generally approved of, *Higgins* 2170.

See also *Aides-de-Camp. Appointment of Officers. Apprenticeship. Disputes. Governor of British Guiana,* 2. *Immigration,* 4. 5. *Labour. Labour Laws,* 2. *Public Officers,* 2. *Strikes for Wages.*

Loan Ordinance:

1. *Generally.*
2. *Demand made on Sir Henry Macleod for a Loan Ordinance, and Result.*
3. *Evidence generally relative to the passing of the Loan Ordinance of* 1844.

1. *Generally:*

The reason why witness opposed the grant in aid of immigration was because the Home Government had advanced the loan of 100,000*l.* for the same purpose, which rendered it unnecessary, *Sir H. Light* 209–214——The Immigration Ordinance granted by British Guiana was of but little advantage to the colony till the passing of the Loan Ordinance, *Sandbach* 1188——The Immigration Ordinance without the Loan Ordinance did not produce the results which had been anticipated from it, *ib.* 1195——Great difference of opinion existing in the colony of British Guiana in 1841 on the subject of the Loan Ordinance, *ib.* 1669–1678——The Immigration Ordinance was of much less value in consequence of a Loan Ordinance not being passed at the same time, *ib.* 1680, 1681——Great loss of the colonists from the Loan Ordinance of 1844 for promoting immigration not having been sanctioned till October 1846, *Higgins* 2040–2047.

2. *Demand made on Sir Henry Macleod for a Loan Ordinance, and Result:*

Observations relative to the demand made on Sir Henry Macleod for a Loan Ordinance for the promotion of immigration; a draft ordinance was sent home for the opinion of the Government, who disapproved of the law, and it was rejected, *Rep.* i. *p.* vi——The planters, nevertheless, did not cease to desire that immigration should be largely increased, and that the expense should be met by means of a loan on the credit of the colonial revenue, *ib.*——The Loan Ordinance which was proposed, and which was ultimately assented to by the Crown, was to create an annual charge on the colonial revenue for interest and sinking fund, covering a period of 20 years, *ib.* vi, vii.

Loan required by the Court of Policy of British Guiana for the purpose of assisting immigration, *Sir H. Light* 121–123——There was no specific pledge or promise given by Sir Henry Macleod that the proposed Loan Bill would be allowed, *Sandbach* 1679——Correction of former evidence relative to the Loan Ordinance promised by Sir Henry Macleod to the colonists on the passing of the civil list, *ib.* 1834–1850——It was the impression of the Court of Policy and the colonists from the communications with Sir Henry Macleod, that he would use his efforts to procure the passing of a Loan Ordinance, *ib.* 1851–1860——Evidence relative to the interviews between the deputation of the colonists and Sir Henry Macleod, and the promises made at those meetings, *ib.* 1874–1880.

3. *Evidence generally relative to the passing of the Loan Ordinance of* 1844*:*

Voluntary renewal of the civil list for seven years by the Court of Policy in 1844; how far this was in connexion with the Loan Ordinance passed by the Government for the promotion of immigration, *Sir H. Light* 666–680——Preparation of a Loan Ordinance in 1841 by Sir Henry Macleod for the furtherance of immigration; this was not passed by the Home Government till 1844, *Sandbach* 1178–1187——On the passing of the Loan Ordinance in 1844 the civil list was renewed for seven years, *ib.* 1189, 1190

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Loan Ordinance—continued.

3. *Evidence generally relative to passing of Loan Ordinance,* 1844—continued.

——The original Loan Ordinance granted by Sir Henry Macleod in 1841 was disallowed and the existing one passed in 1844; connexion which existed between this Loan Ordinance and the passing of the civil list, *Sandbach* 1309–1336. 1608——Evidence relative to the Loan Ordinance proposed to be passed for the promotion of immigration in 1841, *ib.* 1643–1668——The civil list of 1844 was passed upon the understanding that a Loan Ordinance would pass also, *ib.* 1704–1709——The Loan Ordinance was passed in 1844, and money raised and labourers imported, *ib.* 1705–1707.

See also *Civil List,* 3. *Immigration,* 2. 3. 4.

M.

Machinery. See *Cultivation.*

Macleod, Sir *Henry.* Observations relative to the negotiation for a civil list conducted by Sir H. Macleod, Governor of Trinidad, *Rep.* i. *p.* v——Cause of Sir Henry Macleod being sent out to British Guiana in 1841 to negotiate for the settlement of the civil list of the colony; the terms granted by him were afterwards disallowed, *Sir H. Light* 121–127——Appointment of Sir Henry Macleod to negotiate for a new civil list; the civil list agreed to exceeded the amount proposed by witness, *ib.* 625–631——Evidence relative to the mission of Sir Henry Macleod to British Guiana in 1841, for the purpose of settling the civil list, and also as to the Immigration Ordinance granted by him, *Cox* 919–922——Copy of the instructions given by Lord John Russell to Sir Henry Macleod in 1841, and of any correspondence between Sir H. Macleod and any members of the Court of Policy or Combined Court on the subject of the renewal of the civil list in that year, *Rep.* i. *App.* 223——Copy of the speech of his Excellency Sir Henry Macleod to the Court of Policy of British Guiana relative to the renewal of the civil list of the colony for 1841, *ib.* 224.

See also *Immigration,* 3. 4. 5. *Loan Ordinance,* 2. 3.

M'Turk, Sir *Michael.* Particulars relative to the able management of the estates of Sir Michael M'Turk, in British Guiana, in 1841, which afterwards turned out insolvent, *Sir H. Light* 15–18.

Madeira Immigrants. Number of immigrants received into British Guiana from Madeira, during the years 1846 and 1847, *Sir H. Light* 786, 787.

Magistrates. See *Appeals. Justices of the Peace. Stipendiary Magistrates.*

Mahaica Gaol (Demerara). Return of the number of old offenders committed to Her Majesty's gaol of Mahaica during the years 1846, 1847, and 1848, *Rep.* i. *App.* 315—— Numerical return of prisoners committed to Her Majesty's gaol at Mahaica, county of Demerara, for the years 1846, 1847, and 1848, *ib.* 316.

Malgré Tout Plantation. Particulars relative to the state of the Malgré Tout Plantation, in British Guiana, *Sir H. Light* 35, 36.

Management of the Revenue. Importance attached by the legislature of British Guiana to the possession and control of the whole revenue of the colony, *Sandbach* 1702.

Memorials. Copy of a memorial of Mr. R. M. Jones, an inhabitant of Demerara, to Earl Grey, dated 25 Nov. 1848, as to his distressed condition as a planter, and praying for relief, *Rep.* i. *App.* 276, 277.

Military Allowances. Copies or extracts of despatches relative to the suspension of the payment of the colonial table allowance to military officers serving in British Guiana, *Rep.* i. *App.* 283–286——Extract from the minutes of the Honourable the Court of Policy of the colony of British Guiana, combined with the financial representatives of the inhabitants of the said colony, at its annual assembly, held at the Guiana Public Buildings, Georgetown, Demerara, on 19 May 1842, relative to the table money of the officers of the garrison being struck off the estimate, *ib.* 286.

N.

Negroes. Many of the negroes in British Guiana are possessed of landed property, *Sir H. Light* 894, 895; *Sandbach* 1386——Number of Creole labourers in British Guiana in 1848; this is a totally different class from the immigrants, *Sir H. Light* 1090, 1091.

See also *Creole Labourers. Landowners. Punishments. Strikes for Wages. Wages.*

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O.

Official Situations. Instructions issued by Mr. Gladstone, when Secretary of State for the Colonies, to the effect that no bankrupt should be promoted to a situation in the civil list of the colony of British Guiana, *Sir H. Light* 282, 283——Inexpediency of reducing the number of officials in the colony or reducing their salaries, *ib.* 406–408——Power of the Court of Policy to abolish the office or reduce the salary of any officer not upon the civil list, *ib.* 998.——*See* also *Public Officers.*

Ordinary Marshal. Duties, pay, and emoluments of the ordinary marshal, *Holmes* 2670–2676.

Over-Cultivation. Plenty of money and plenty of labour was not sufficient to make the colony prosperous in 1845, on account of the extent to which cultivation was carried; it was the ruin of the planters, *Sandbach* 1477–1479.

See also *Abandonment of Estates.*

P.

Patronage. The whole of the patronage of British Guiana is in the hands of the Governor; all the appointments are recommended by him, and approved of by the Secretary of State, *Sir H. Light* 582–587——Extent of patronage possessed by the Governor of the colony; most of the public offices are within his gift; this confers very great influence upon the Governor, *Higgins* 2096–2098——The colonists are of opinion that the Governor has not applied his patronage very judiciously, *ib.* 2434–2447——Evidence generally as to the policy of leaving the patronage in the hands of the Governor, *Holmes* 2603——Data upon which witness made the statement that the amount of the salaries within the gift of the Governor of British Guiana is between 50,000 *l.* and 60,000 *l.* a year, *Higgins* 2964–2967.

Paupers. The immigrants form a very large portion of the pauper population of British Guiana, *Sir H. Light* 904.

Peter Hall Estate. Particulars relative to the purchase of the Peter Hall estate, in British Guiana, by Mr. Bagot, the deputy registrar of the colony, *Sir H. Light* 558–577.

Petitions to Parliament. Copy of the petition of members of the Court of Policy and of the financial representatives of British Guiana in Combined Court assembled, dated 1847, to the Honourable the Commons of the United Kingdom of Great Britain and Ireland, praying for relief, *Rep.* i. *App.* 357, 358——Petition of proprietors, planters, merchants, and others interested in the agriculture and commerce of the colony of British Guiana, dated 1847, *ib.* 359–363——Petition of the proprietary body and others dependent on the successful cultivation of the plantations in British Guiana, 1848, *ib.* 363–365——Petition of the inhabitants of British Guiana interested in the cultivation of sugar, 1848, *ib.* 365–374——Petition of the inhabitants generally of British Guiana, 1848, on the subject of the unparalleled distress to which the state of the colony is reduced, and praying for relief, *ib.* 374–383.

Pilot. Duties and salary of the master pilot of British Guiana, *Holmes* 2677–2690.

Plantations. Opinion that the planters of British Guiana are in such a prostrate condition as to be unable to afford any further outlay in improving their manufacture and cultivation, *Sir H. Light* 184——Copy of a despatch from Governor Barkly to Earl Grey, dated 28 February 1849, transmitting two returns from the Administrator-general of British Guiana respecting plantations under his charge and plantations under sequestration, *Rep.* i. *App.* 299–302.

Planters. The incomes of the planters depend upon the price of produce, but the planters are not the sole tax payers, *Sir H. Light* 488.

See also *Abandonment of Estates. Apprenticeship. Berbice. Capital. Colonial Office. Complaints. Continuous Labour. Contract System. Credit. Cultivation. Declaration of Planters. Distress. Emancipation. Expenditure*, 2. 3. *Immigration. Insolvent Proprietors. Labour Laws. Labourers. Loan Ordinance. Over-Cultivation. Petitions to Parliament. Prices of Produce. Protection. Slave Trade. Squatting. State of the Colony. Strikes for Wages. Taxation.*

Politics. See *Appointment of Officers.*

Portuguese Immigrants. How far any advantage was derived by the colonists of British Guiana from the Immigration Ordinance of 1841, permitting the introduction of Portuguese immigrants, *Sir H. Light* 681–686——Prohibition of the importation of Portuguese immigrants into British Guiana during certain months of the year, in consequence of the great mortality occurring amongst them, *Sandbach* 1637, 1638.

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Powers of the Crown. Statement of the questions submitted to the Crown law officers on the 9th September 1840 relative to the power of the Crown in British Guiana, *Rep.* i. *App.* 209-219——Opinion of J. Dodson, J. Campbell, and Thomas Wilde, the law officers of the Crown, thereon, *ib.* 220, 221——Letter from G. W. Hope to the law officers of the Crown, dated 4 November 1841, detailing the refusal of the Combined Court of British Guiana to grant a civil list, and requesting their opinion on the powers of the Crown in the colony, *ib.* 221, 222——Opinion of J. Dodson, Fred. Pollock, and W. Follett, the law officers of the Crown, dated 23 February 1842, as to the right of the Crown to assert and exercise its power in every matter of internal legislation not connected with the raising of taxes in the colony, *ib.* 222, 223.

Press, The. The general tone of all the editorial articles in the newspaper of the colony is in approval of the proceedings of the Combined Court in stopping the supplies; and the papers also state that those proceedings have the approbation of the inhabitants generally, *Sandbach* 1828.——*See* also "*Royal Gazette.*"

Price of Provisions. How far any difference exists between the expense of living in the colonies of British Guiana and Trinidad, *Higgins* 2215, 2216——The data upon which witness based his calculations as to the increase of the salaries in 1839 were the prices then current in British Guiana, *Sir H. Light* 2945-2950. 2952-2957——How far the prices of provisions has since been reduced, *ib.* 2951.

See also *Increase of Salaries.*

Prices of Produce. A great depreciation has taken place in the price of produce, *Sir H. Light* 487——Prostration of the planters of British Guiana, from the low prices of produce, *ib.* 1107-1111——The productions of British Guiana cost more than their value in the market; the estates are worked at a loss, *Sandbach* 1376——Complaints of the fall of prices of produce in British Guiana, *ib.* 1481.

See also *Abandonment of Estates. Crops. Planters.*

Produce. See *Prices of Produce.*

Prosperity of the Colony. Evidence relative to witness's despatches of 1841, in which mention is made of the prosperous condition of various estates in British Guiana, the proprietors of which have since become insolvent, *Sir H. Light* 11-36——Witness had full confidence in the prosperity of the colony so lately as the 8 April 1845; extract from witness's despatch to this effect, *ib.* 155-158——Information on which witness grounded his opinion as to the prosperity of the colony in 1841, *ib.* 297, 298——Gradual decrease in the prosperity of the colony since 1845; this is attributable to the money crisis in England and the low prices of sugar, *ib.* 545, 546——Basis upon which the opinion is founded as to the prosperous condition of British Guiana in 1840, *ib.* 551-557. 578-581.

Great increase in the trade and revenue of British Guiana at the time it was proposed to reduce the salaries of the officials on the civil list, *Sir H. Light* 711-714——Doubts as to the prosperity of the colony in 1845; the state of the colony has been constantly falling lower and lower for some time, *Sandbach* 1461-1484——Money was plentiful in British Guiana in 1845, *ib.* 1474——The representations made by Governor Light of the success of the estates and the industry and progress of the negroes were not well founded, *Higgins* 1932——Extracts from Parliamentary papers presented in 1842, on the West Indies, relative to the antagonistic views of Sir Henry Light and the colonists with regard to the prosperous state of British Guiana in the years 1839 and 1840, *ib.* 2023 *et seq.*——How far the accusation that witness vaunted the prosperity of the colony may be said to be founded in justice, *Sir H. Light* 2699, *p.* 184.

See also *Apprenticeship. Crops. Emancipation. Immigration,* 2. *Import Duties. Labourers,* 1. *Speculation. State of the Colony. West India Colonies.*

Protection. The indisposition to vote supplies in British Guiana is to be attributed to a determination to make Government reimpose their protective duties, *Sir H. Light* 396, 397——Observations relative to the stoppage of the supplies with a view to compelling the Government to reimpose the protective duties on sugar, *ib.* 433-444. 476-481. 687-710. 960-984. 1011-1024——Causes of dissatisfaction on the part of the colonists besides that arising from the abolition of the protective duties, *ib.* 820 *et seq.*——Resolution passed at the Court of Policy on 21 March 1848, relative to the injury done to the colony by the British Government in depriving the planters of protection, *ib.* 944-946.

The refusal of the Court of Policy to grant the civil list arises from the general ruinous state of the colony consequent on its being exposed to competition with slave-grown sugar, *Sandbach* 1243, 1244——Witness, as a member of the Combined Court, would not have voted for the civil list in 1841 had he believed that slave-grown sugar would have been admitted to consumption on the same terms as British plantation sugar, *ib.* 1352-1361——There is no doubt that the withdrawal of protection has diminished the value of estates, but even when the price of sugar was high the planters were not successful, *Sir H. Light* 2699 *p.* 184.

See also *Civil List,* 1. *Estimates,* 1.

Provisions

Report, 1849—*continued.*

Provisions. See *Price of Provisions.*

PROVOST-MARSHAL:

1. *Appointment, Duties, and Salary of the Provost-Marshal.*
2. *Liability of the Provost-Marshal as regards the Securities taken on the Purchase of Estates.*

1. *Appointment, Duties, and Salary of the Provost-Marshal:*

Evidence relative to the appointment, duties, and salary of the provost-marshal of British Guiana, *Higgins* 2016–2022——The office of provost-marshal is by no means a sinecure office, *ib.* 2426–2428——Evidence as to the appointment and duties of the provost-marshal; emoluments of the office; particulars as to witness having compounded with his creditors; this was previous to his appointment, *Holmes* 2616–2659——Evidence in detail as to the duties of the provost-marshal, *ib.* 2661–2669.

2. *Liability of the Provost-Marshal as regards the Securities taken on the Purchase of Estates:*

Duty of the provost-marshal of the time, who gives security for his office, with regard to the securities on the purchase of estates; he is held responsible for the securities which he takes, *Holmes* 2526——Witness has known an instance of the provost-marshal having been held personally responsible and paying the money when the securities failed, *ib.* 2533——Under the old system the provost-marshal might be held responsible for the balance of the purchase-money of an estate, if the securities, or sureties, proved insufficient; nature of these securities, *ib.* 2534–2537——The practice is now quite altered; an estate is purchased now by instalments in three, six, nine, and twelve months, *ib.* 2538——If the parties fail in the first instalment, the estate is sold again instantly, *ib.* 2539——If there should be a deficiency upon the estate, the sureties are come upon, and eventually the provost-marshal, *ib.* 2539, 2540——The provost-marshal is still liable for the payments in default of the sureties, *ib.* 2548–2577.

See also *Holmes,* Mr.

Public Feeling. Dissatisfaction existing among the colonists, founded upon the impression that the general tendency of public feeling in England is unduly hostile towards the planters, and unduly favourable to the labourers, *Higgins* 2213, 2214.

PUBLIC OFFICERS:

1. *Generally.*
2. *Character of the Officers appointed by Governor Light.*

1. *Generally:*

Opinion of the Committee that the civil appointments in British Guiana, and the manner in which the duties of the offices have been discharged, are subjects which demand full inquiry and careful consideration, with a view to the correction of abuses and to the efficient and economical administration of the public service, *Rep.* i. *p.* ix—— Opinion that the tone of society and of morals in a colony is very much influenced by the character of the persons raised to public offices in the colony, *Higgins* 2146—— Guiana is governed by a body of men in this country who have never been there, and the public servants who are sent out are sent out without any particular qualification except that of a desire for a good salary, *ib.* 2453——Difficulty of suggesting a remedy for this evil off-hand; still it might be remedied, *ib.* 2455——Statement delivered in of the names of the parties holding office in the colony; with remarks generally on their appointments, *Sir H. Light's Ev. p.* 201–204.

2. *Character of the Officers appointed by Governor Light:*

Instances of public officers of British Guiana purchasing estates at public vendue, and contriving to hold them for some years without paying for them, *Higgins* 2025, 2026—— Indifference of Sir Henry Light to the character of the persons appointed by him as public officers; he did not exercise sufficient care and discretion in the appointments which he made, *ib.* 2147, 2148——A very small fraction of the public officers own estates, *Holmes* 2580–2602——Refutation of the evidence which has been given before this Committee, that witness was surrounded by men who were bankrupts, *Sir H. Light* 2699.

See also *Aides-de-Camp. Appointment of Officers. Civil List,* 2. *Consolidation of Offices. Fees. Increase of Salaries. Official Situations. Patronage. Reduction of Salaries. Salaries. Speculation. Vacancies.*

Public Offices. Opinion that the present number of public offices in British Guiana is not too great for the necessities of the colony of British Guiana, *Sir H. Light* 323—— Power of the local court to abolish the public offices not included in the civil list, *ib.* 419–423.——*See* also *Vacancies.*

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Punishments. Absence of all necessary laws for the punishment of the negroes in the colony; in case of fines being imposed there is no power to enforce the payment, *Higgins* 1922, 1923——Frequency of the negroes breaking their contracts, and great leniency shown towards them in the punishment awarded, *ib.* 2124–2130——Private orders given by the Governor of the colony to the magistrates not to imprison the negroes; there is no means of enforcing the fines imposed for breach of contract, *ib.* 2131——Peculiar circumstances under which witness desired Mr. Mure, a stipendiary magistrate, not to carry into effect an award of punishment, *Sir H. Light* 2699, *p.* 184.——*See* also *Corporal Punishments.*

Purchase of Estates. See *Aides-de-camp. Bagot,* Mr. *Goodman,* Mr. *Jones,* Mr. *Provost-Marshal. Public Officers,* 2. *Registrar. Sale of Estates. Speculation.*

Q.

Queen's Chest. Particulars relative to the revenue of British Guiana, constituting what is called the Queen's Chest, and how disposed of, *Sandbach* 1581–1588.

R.

Records of Court. The proceedings of the Court of Policy and the Combined Court are recorded and preserved, *Sandbach* 1532–1537.

Reduction of Expenditure. See *Expenditure,* 2. 3.

Reduction of Salaries. Resolutions passed at the close of the year 1847 by the Combined Court in favour of a reduction of all salaries guaranteed by the civil list, to the extent of twenty-five per cent. on their amount, *Rep.* i. *p.* vii——Reasons assigned for this reduction in the resolutions of the Court of Policy, on 30 December 1847, *ib.*—— Observations of the Committee on the despatches relative to the proposed reductions to be made in the salaries of the public officers of British Guiana, *ib.* vii, viii——The general expenditure of the colony might have been greatly reduced without touching the salaries of the officials; reason why witness did not propose such an estimate for the year 1848, *Sir H. Light* 596–607.

Instructions received by Sir Henry Light from the Home Government to resist the reduction of the salaries of the officials in the colony, *Sandbach* 1754–1763——It is very unfair towards Guiana that the Colonial Office should sanction reductions in Trinidad and other places, and refuse permission to reductions being made in that colony, *Higgins* 2048, 2049——Witness does not see how any Governor could have given his support to a reduction of the salaries of officers receiving smaller salaries than his own, retaining his own intact; the reduction should commence with the highest salaries, *ib.* 2066——Witness does not agree with Sir Henry Light that no reduction ought to be made in the salaries of the public officers of Guiana; there would be no difficulty in obtaining efficient officers for smaller salaries, *ib.* 2090–2095——Extent to which reductions might be made in the salaries of the public officers of the colony without impairing the efficiency of the public service, *ib.* 2217–2235. 2327–2335.

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TO THE

FIRST REPORT

FROM THE

SELECT COMMITTEE

ON

CEYLON AND BRITISH GUIANA.

Ordered, by The House of Commons, *to be Printed,*
18 *May* 1849.

[*Price* 6 *d.*]

297.

Under 8 oz.

SECOND

REPORT

FROM THE

SELECT COMMITTEE

ON

CEYLON AND BRITISH GUIANA.

Ordered, by The House of Commons, *to be Printed,*
27 *July* 1849.

573.

Martis, 20° *die Februarii*, 1849.

Ordered, THAT a SELECT COMMITTEE be appointed to Inquire into the Grievances complained of in the Crown Colonies of CEYLON and BRITISH GUIANA, in connexion with the Administration and Government of those Dependencies, and to Report their Opinion whether any Measures can be adopted for the Redress of any Grievances of which there may be shown just reason to complain, and also whether any Measures can be adopted for the better Administration and Government of those Dependencies.

Martis, 27° *die Februarii*, 1849.

Committee nominated:

Mr. Hume.
Sir Joshua Walmsley.
Sir Robert Peel.
Sir James Hogg.
Mr. Gladstone.
Mr. Charles Villiers.
Mr. Disraeli.
Mr. Hawes.
Mr. Adderley.
Mr. Wilson.
Mr. Stuart Wortley.
Lord Hotham.
Mr. Baillie.
Mr. M'Cullagh.
Major Blackall.

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the Quorum of the said Committee.

Mercurii, 9° *die Maii*, 1849.

Ordered, THAT all Petitions from British Guiana, presented in the Sessions of 1847, 1848, and 1849; also, Copies or Extracts of the Earl of Aberdeen's Despatches to the Governor of British Guiana, dated the 1st day of March 1835, relative to the provision of a Civil List for that colony; also, of any Despatches addressed by Lord John Russell to the Governor of British Guiana, relative to the provision of a Civil List, together with any Correspondence that may have arisen thereon (presented 23d June 1840), be referred to the Select Committee.

Veneris, 18° *die Maii*, 1849.

Ordered, THAT the Committee have power to Report their Observations, from time to time, to The House.

REPORT.

THE SELECT COMMITTEE appointed to Inquire into the Grievances complained of in the Crown Colonies of CEYLON and BRITISH GUIANA, in connexion with the Administration and Government of those Dependencies, and to Report their Opinion whether any Measures can be adopted for the Redress of any Grievances of which there may be shown just reason to complain, and also whether any Measures can be adopted for the better Administration and Government of those Dependencies, and to whom the several Petitions on the subject of CEYLON have been referred, and who were empowered to Report their Observations thereupon, together with the MINUTES of the EVIDENCE taken before them, from time to time, to The House;——HAVE examined Witnesses, and received Documents connected with the subject referred to them, and have agreed to the following RESOLUTION:

Resolved,

THAT it is the opinion of this Committee that the Chairman be instructed to move The House that an humble Address be presented to Her Majesty, praying that She will be graciously pleased to appoint a Commission to inquire on the spot into the means taken for the repression of the late Insurrection at Ceylon.

27 *July* 1849.

SECOND REPORT

FROM THE

SELECT COMMITTEE

ON

CEYLON AND BRITISH GUIANA.

Ordered, by The House of Commons, *to be Printed,*
27 *July* 1849.

573.

THIRD

REPORT

FROM THE

SELECT COMMITTEE

ON

CEYLON AND BRITISH GUIANA;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, *to be Printed,*
31 *July* 1849.

591.

Martis, 20o die Februarii, 1849.

Ordered, THAT a SELECT COMMITTEE be appointed to inquire into the Grievances complained of in the Crown Colonies of CEYLON and BRITISH GUIANA, in connexion with the Administration and Government of those Dependencies, and to Report their Opinion whether any Measures can be adopted for the Redress of any Grievances of which there may be shown just reason to complain, and also whether any Measures can be adopted for the better Administration and Government of those Dependencies.

Martis, 27° die Februarii, 1849.

Committee nominated:

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Mr. Charles Villiers.
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Mr. Hawes.
Mr. Adderley.
Mr. Wilson.
Mr. Stuart Wortley.
Lord Hotham.
Mr. Baillie.
Mr. M'Cullagh.
Major Blackall.

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the Quorum of the said Committee.

Mercurii, 9° die Maii, 1849.

Ordered, THAT all Petitions from British Guiana, presented in the Sessions of 1847, 1848, and 1849; also, copies or extracts of the Earl of Aberdeen's despatches to the Governor of British Guiana, dated the 1st day of March 1835, relative to the provision of a Civil List for that colony; also, of any despatches addressed by Lord John Russell to the Governor of British Guiana, relative to the provision of a Civil List, together with any correspondence that may have arisen thereon (presented 23d June 1840), be referred to the Select Committee.

Veneris, 18° die Maii, 1849.

Ordered, THAT the Committee have power to Report their Observations, from time to time, to The House.

Sabbati, 28° die Julii, 1849.

Ordered, THAT the Second Report of the Select Committee on Ceylon and British Guiana be re-committed to the said Committee; and that the Committee have leave to sit and proceed on Monday.

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REPORT.

THE SELECT COMMITTEE appointed to Inquire into the Grievances complained of in the Crown Colonies of CEYLON and BRITISH GUIANA, in connexion with the Administration and Government of those Dependencies, and to Report their Opinion whether any Measures can be adopted for the Redress of any Grievances of which there may be shown just reason to complain, and also whether any Measures can be adopted for the better Administration and Government of those Dependencies, and to whom the Petitions on the subject were referred, and who were empowered to Report from time to time, and to whom the Second Report was re-committed;——HAVE further considered the Matter referred to them, and have agreed to the following REPORT:

YOUR Committee regret, that from the Termination of the Session, they have not been able to conclude their inquiries into the Grievances in connexion with the Administration and Government of Ceylon, and especially into the causes of the late Insurrection in that Colony, and into the means adopted by the local Government for its repression; but from the gravity of the circumstances which those enquiries have elicited, Your Committee express their opinion that it is expedient that they should be re-appointed next Session to pursue their investigation, and that means should be adopted in the interval by the Secretary of State to ensure the attendance before the Committee of the Queen's Advocate at Ceylon, of Captain Watson, and such others whose evidence may be necessary to explain and establish the circumstances under which martial law was recently proclaimed in Ceylon, and to give information as to all proceedings which were thereon adopted by the Government.

31 *July* 1849.

PROCEEDINGS OF THE COMMITTEE.

THE Committee having presented to The House their Report on British Guiana, proceed to consider the subject of Ceylon.

Martis, 5° *die Junii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hume.	Mr. Hawes.
Sir James Hogg.	Mr. Gladstone
Lord Hotham.	Mr. Adderley.
Mr. Villiers.	Mr. Disraeli.
Major Blackall.	Mr. M'Cullagh.
Sir Robert Peel.	Mr. Stuart Wortley.
Mr. Wilson.	

Mr. *Ackland* examined.

[Adjourned.

Veneris, 8° *die Junii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hume.	Mr. Hawes.
Sir James Hogg.	Sir J. Walmsley.
Mr. M'Cullagh.	Sir Robert Peel.
Lord Hotham.	Mr. Adderley.
Major Blackall.	Mr. S. Wortley.
Mr. C. Villiers.	

Mr. *Ackland* re-examined.

Mr. *M'Christie* examined.

[Adjourned.

Martis, 12° *die Junii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hume.	Mr. Hawes.
Sir James Hogg.	Sir J. Walmsley.
Lord Hotham.	Mr. Villiers.
Major Blackall.	Mr. Adderley.
Sir Robert Peel.	Mr. S. Wortley.
Mr. Wilson.	

Sir *Herbert Maddock* examined.

[Adjourned.

Jovis, 14° *die Junii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hawes.	Sir James Hogg.
Sir J. Walmsley.	Lord Hotham.
Major Blackall.	Mr. Charles Villiers.
Sir Robert Peel.	Mr. Wilson.
Mr. Disraeli.	Mr. Adderley.

Sir *Herbert Maddock* re-examined.

[Adjourned.

Martis, 19° *die Junii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hume.	Mr. Hawes.
Sir James Hogg.	Mr. Wilson.
Sir Robert Peel.	Mr. S. Wortley.
Lord Hotham.	Mr. Gladstone.
Sir J. Walmsley.	Mr. C. Villiers.
Mr. M'Cullagh.	Major Blackall.

Mr. *Wodehouse* examined.

[Adjourned.

Jovis, 21° *die Junii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hume.	Mr. Hawes.
Mr. Wilson.	Lord Hotham.
Sir J. Walmsley.	Major Blackall.
Sir James Hogg.	Sir Robert Peel.
Mr. C. Villiers.	Mr. S. Wortley.
Mr. M'Cullagh.	

Mr. *Wodehouse* re-examined.

[Adjourned.

Martis, 26° *die Junii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hume.	Mr. Hawes.
Sir James Hogg.	Mr. Wilson.
Sir J. Walmsley.	Lord Hotham.
Mr. Gladstone.	Mr. C. Villiers.
Mr. S. Wortley.	Sir R. Peel.
Mr. Disraeli.	

Hon. *G. Talbot* examined.

Question, "That Earl Grey be requested to attend."—Mr. *Hume*.

It was resolved in the affirmative.

Jovis, 28° *die Junii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hume.	Mr. Hawes.
Sir J. Hogg.	Mr. Wilson.
Sir J. Walmsley.	Lord Hotham.
Mr. Adderley.	Major Blackall
Sir R. Peel.	Mr. Gladstone.
Mr. C. Villiers.	Mr. S. Wortley.
Mr. M'Cullagh.	

The Committee deliberated.

Right Honourable Sir *David Dundas* examined.

The following correspondence took place between the Chairman (at the desire of the Committee) and Lord Grey, and is here inserted :—

"My Lord, "House of Commons, 26 June 1849.
"I am requested by the Ceylon Committee to ask your Lordship whether you have any objection to be examined before the Committee.

"I have, &c.
"To Earl Grey." (signed) "*Henry Baillie.*"

"Sir, "Belgrave-square, 28 June 1849.
"I have had the honour of receiving your letter of the 26th, and in reply I have to request that you will state to the Committee on Ceylon that I am not aware that there is any information bearing on the subject of the inquiry in which they are engaged, and which is not already before them, which it would be in my power to supply; but if the Committee will have the goodness to make known to me on what specific points my evidence can be of service to them, if I find that I can afford any useful information upon them I shall not object to being examined.

"I have, &c.
"H. Baillie, Esq. (signed) "*Grey.*"
Chairman of the Committee of the
House of Commons on Ceylon."

"My Lord, "House of Commons, 10 July 1849.
"With reference to the letter which I had the honour of receiving from your Lordship, bearing date the 28th June, I beg leave to acquaint your Lordship that the specific points on which it was thought by the Committee that your Lordship's evidence might be of service to them, in enabling them to form a satisfactory judgment on the matters referred to them, are the following :—

"Courts Martial.
"Necessity of Martial Law, and its continuance.
"Transmission of Military Orders.
"Seizures and Confiscations.
"Minutes of Proceedings of Councils.
"Relations between the Government and the Priesthood.
"Amendments of the Constitution of the Government of Ceylon.

"I have, &c.
"To the Right Hon. the Earl Grey. (signed) "*Henry Baillie*, Chairman."
&c. &c. &c."

The following details of the questions were privately forwarded to Earl Grey by the Chairman:—

"Whether your Lordship has received any copies of the proceedings of the courts martial (including details of the evidence taken upon the trials of the prisoners), which were held in Ceylon in 1848, and information, private or public, of how each of the courts was constituted, which have not been laid before the Committee now sitting on the affairs of Ceylon; and if you have not, whether your Lordship has ordered any such to be transmitted to you, or whether it is your intention so to do?

"Whether your Lordship has had any further information, private or public, than that which has already been laid before the Committee, from the Governor of Ceylon, showing the necessity that existed for his Excellency's proclamations of martial law, and of continuing that law for the whole period during which he enforced martial law?

"Whether your Lordship has had any information communicated to you by the Governor, private or public, other than has already been laid before the Committee, of the party by whom the military orders, immediately preceding and during martial law, were issued to Colonel Drought, and why those orders were not sent through the usual official channel, and whether your Lordship has been informed of any orders issued, or instructions given, to prevent deputy Queen's advocates acting or being employed upon the courts martial, and by whom and to whom such orders or instructions were issued or given?

"Whether your Lordship has been informed by the Governor, or whether your Lordship knows by or under what authority Colonel Drought issued his proclamation, dated August 8th, 1848, for the seizure of lands, houses, and property?

"Whether your Lordship has received from the Governor any returns showing the amount and description of the property seized or confiscated (and of the names of the persons to whom such property belonged), which was so seized or confiscated under the proclamations that were issued in that behalf, and of the quantity and nature of such as has been restored, or of the particulars of the manner in which innocent persons whose properties were seized

are

are to be compensated for their losses; or any further information thereon than is now before the Committee?

"Whether your Lordship has received from the Governor copies of the minutes of the proceedings in the Executive and Legislative Councils up to the month of December 1848, and if not, whether you have made any application to know why such copies have not been transmitted to you agreeable to Her Majesty's instructions in that respect; and if you have, what has been the reason assigned for the omission; and if you have not, whether it is your Lordship's intention to make any such application?

"Whether Mr. Wodehouse's memorandum, dated the 15th of June 1847, which was embodied in his letter of the 13th of October 1847, was, or has been, transmitted to your Lordship, either before or with his Excellency's letter of the 12th of August 1847?"

"Sir, "11 July 1849.

"I have had the honour of receiving your letter of yesterday, stating what are the points on which the Committee on Ceylon are of opinion that my evidence might be of service to them.

"In reply I have to request you to acquaint the Committee that I possess no information which is not contained in the papers already before them on any of the points mentioned in your letter; and that with regard to the opinion I may have formed on these points, or the reasons which have led me to the conclusions I have adopted, I should not think it consistent with the duty imposed upon me by the office I have the honour to hold to add anything to what I have said in the despatches which I have addressed to the Governor of Ceylon, and which have been laid before Parliament.

"Under these circumstances it does not appear that any advantage would result from my being examined, and I trust the Committee will excuse me from attending before them.

"I have, &c.

"H. Baillie, Esq., M. P." (signed) "*Grey*."

[Adjourned.

Martis, 3° *die Julii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hume.	Mr. Hawes.
Sir James Hogg.	Lord Hotham.
Mr. C. Villiers.	Mr. Gladstone.
Mr. Adderley.	Mr. M'Cullagh.

Mr. *Wodehouse* re-examined.

Committee deliberates.

[Adjourned.

Jovis, 5° *die Julii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hume.	Mr. Hawes.
Sir James Hogg.	Lord Hotham.
Sir J. Walmsley.	Mr. Disraeli.
Mr. Gladstone.	Mr. S. Wortley.
Mr. Adderley.	Mr. C. Villiers.
Sir Robert Peel.	Mr. M'Cullagh.

Mr. *Saunders* examined.

Committee deliberates.

Question put, "That Captain Bird be called in."

It was resolved in the affirmative.

Captain *Bird* examined. Expenses of the Witness twice—

	£.	s.	d.
Six days in London	6	6	–
Travelling expenses	10	10	–
	16	16	–

[Adjourned.

Martis, 10° *die Julii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hawes.	Mr. Hume.
Sir J. Hogg.	Sir J. Walmsley.
Mr. S. Wortley.	Lord Hotham.
Mr. Disraeli.	Mr. C. Villiers.
Mr. Gladstone.	Mr. Wilson.

Question put, "That the following letter be sent to Earl Grey." (*Vide* Correspondence, *supra.*)

It was resolved in the affirmative.

Messrs. *Layard* and *Wodehouse* examined.

[Adjourned till Thursday.

Jovis, 12° *die Julii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hawes.	Mr. Hume.
Sir J. Hogg.	Mr. Villiers.
Mr. S. Wortley.	Mr. Wilson.
Sir J. Walmsley.	Mr. Gladstone.
Lord Hotham.	Sir R. Peel.

The Chairman stated that he had received the following letter from Lord Grey. (*Vide* Correspondence, *supra.*)

Mr. *Wodehouse* examined.

Lieut.-colonel *Forbes* examined.

[Adjourned to Tuesday next, at Twelve o'clock.

Martis, 17° *die Julii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hawes.	Sir J. Walmsley.
Lord Hotham.	Mr. S. Wortley.
Sir James Hogg.	Major Blackall.
Mr. Hume.	Mr. Villiers.
Mr. Adderley.	Mr. M'Cullagh.
Mr. Wilson.	

Mr. *Talbot* examined.

[Adjourned.

Jovis, 19° *die Julii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hume.	Mr. Hawes.
Lord Hotham.	Major Blackall.
Sir James Hogg.	Mr. Wilson.
Mr. Villiers.	Sir Joshua Walmsley.
Mr. M'Cullagh.	

Mr. *M'Christie* examined.

The printing of part of the evidence of the Witness of this day was ordered to be suspended.

[Adjourned.

Veneris, 20° *die Julii*, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hume.	Sir J. Walmsley.
Sir J. Hogg.	Major Blackall.
Mr. Hawes.	Mr. M'Cullagh.
Mr. Wilson.	Mr. Disraeli.
Mr. Villiers.	

The suspended evidence of Mr. M'Christie was again read.

Committee deliberate.

Resolved, "That Mr. M'Christie do produce to this Committee the letters on which he founds the grievance complained of by the colony, that Lord Torrington used the expression, 'That if all the judges and proctors in Ceylon were to say that the man was innocent, he should nevertheless be executed the next day.' "—(Major *Blackall.*)

[Adjourned.

Martis, 24° *die Julii*, 1849.

MEMBERS PRESENT:

MR. BAILLIE in the Chair.

Mr. Hawes.	Mr. Hume.
Sir J. Walmsley.	Lord Hotham.
Sir James Hogg.	Major Blackall.
Mr. Disraeli.	Mr. Villiers.

Resolution of the last sitting read.

Committee deliberate.

Motion made and question put, "That Mr. M'Christie having voluntarily charged the Governor of Ceylon with having used the following expression, 'That if all the judges and proctors in Ceylon were to say that the man was innocent, he should nevertheless be executed the next day,' in an interview with the Queen's Advocate, relative to the execution of Kaddahpolla Unanse, Mr. M'Christie be informed, that he is at liberty to prove the charge or withdraw it, as he may think proper."—(Sir *James Hogg.*)

It was resolved in the affirmative.

Mr. M'Christie called in, and was informed by the Chairman of the for egoing resolution.

Mr. M'Christie proceeded to read the letters, [letters delivered in] and then withdrew.

Committee deliberate.

Motion made and question put, "That the two letters dated Newra Ellia, 11th April 1849, and of Colombo, dated 10th May 1849, and signed C. Elliott, be not printed till further order from the Committee."—(Sir *James Hogg.*)

The Committee divided.

Ayes, 7.	Noes, 2.
Sir James Hogg.	Mr. Hume.
Mr. Charles Villiers.	Sir Joshua Walmsley.
Mr. Disraeli.	
Mr. Hawes.	
Mr. Wilson.	
Lord Hotham.	
Major Blackall.	

So it was resolved in the affirmative.

Mr. *Anstruther* examined.

Major *Thomas Skinner.*

	£.	s.	d.
Travelling expenses from Plymouth and back - -	5	13	4
Twelve days in London, at 1 *l.* 1 *s.* - - - -	12	12	–
£.	18	5	4

[Adjourned.

Jovis, 26° die Julii, 1849.

MEMBERS PRESENT.

Mr. BAILLIE in the Chair.

Mr. Hume.	Mr. M'Cullagh.
Sir James Hogg.	Mr. Hawes.
Major Blackall.	Lord Hotham.
Mr. Wilson.	Mr. Disraeli.
Mr. Charles Villiers.	Sir J. Walmsley.

Motion made and question put, "That the two letters delivered in by Mr. M'Christie, dated 11 April 1849, and 14 May 1849, be inserted in the Evidence taken upon Tuesday last, after question 7580, and that an amended copy of that day's Evidence be furnished to the Members of the Committee."—(Mr. *Hawes.*)

It was resolved in the affirmative.

Motion made and question proposed, "That the Chairman be instructed to move the House, that an humble address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to appoint a Commission to inquire on the spot into the means taken for the repression of the late insurrection in Ceylon."—(Lord *Hotham.*)

An amendment was proposed to be made to the question by leaving out all the words from the first word, "That," for the purpose of inserting, "No notice of the motion having been inserted in the circular, that the Committee adjourn, in order that the motion may be printed and the Committee specially summoned to attend to consider it," instead thereof.—(Mr. *Hawes.*)

Question put, "That the words proposed to be left out stand part of the motion."

The Committee divided:

Ayes, 5.	Noes, 5.
Mr. Hume.	Sir James Hogg.
Sir Joshua Walmsley.	Mr. Hawes.
Mr. Charles Villiers.	Mr. Wilson.
Mr. Disraeli.	Mr. M'Cullagh.
Lord Hotham.	Major Blackall.

The numbers being equal, the Chairman gave his vote with the ayes.

So it was resolved in the affirmative.

Original question again put, "That the Chairman be instructed to move the House, that an humble address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to appoint a Commission to inquire on the spot into the means taken for the repression of the late insurrection in Ceylon."—(Lord *Hotham.*)

The Committee divided:

Ayes, 5.	Noes, 5.
Mr. Hume.	Sir James Hogg.
Sir Joshua Walmsley.	Mr. Hawes.
Mr. Charles Villiers.	Mr. Wilson.
Mr. Disraeli.	Mr. M'Cullagh.
Lord Hotham.	Major Blackall.

The numbers being equal, the Chairman decided with the ayes.

So it was resolved in the affirmative.

Motion made and question put, "That the evidence and documents be reported to The House."—(Mr. *Hume.*)

The Committee divided:

Aye, 1.	Noes, 9.
Mr. Hume.	Sir Joshua Walmsley.
	Sir James Hogg.
	Mr. Charles Villiers.
	Mr. Disraeli.
	Mr. Hawes.
	Mr. Wilson.
	Lord Hotham.
	Mr. M'Cullagh.
	Major Blackall.

So it passed in the negative.

Question

Question put, "That the resolution as agreed to by the Committee be reported to the House."—(Mr. *Hume.*)

It was resolved in the affirmative.

Mr. *Anstruther* examined in explanation of his evidence.

Question put, "That the Committee do adjourn till Tuesday next, at One o'clock.

It was resolved in the affirmative.

[Adjourned to Tuesday, at One.

Lunæ, 30° die Julii, 1849.

MEMBERS PRESENT:

Mr. BAILLIE in the Chair.

Mr. Hawes.	Sir James Hogg.
Mr. Wilson.	Mr. Disraeli.
Mr. Adderley.	Sir J. Walmsley.
Mr. Hume.	Major Blackall.
Lord Hotham.	

Order of reference read, re-committing the Second Report to this Committee, and giving leave to the Committee to sit this day.

Committee deliberate:

Motion made and question proposed, "That after reconsideration of the matters referred to them, and with the view of obtaining full and accurate knowledge of the grievances in connexion with the administration and the government of the island of Ceylon, complained of by the inhabitants of that colony, this Committee is of opinion that the best mode of obtaining the fullest and the most accurate information respecting these complaints would be by a Royal Commission being sent out to the colony, and there, on the spot, to make the requisite inquiries respecting those complaints, as prayed for by the inhabitants of the islands."—(Mr. *Hume.*)

Negatived.

An amendment was proposed to be made to the question by leaving out all the words after the first word, "That," for the purpose of inserting, "Your Committee regret that, from the termination of the Session, they have not been able to conclude their inquiries into the grievances in connexion with the administration and government of Ceylon, and especially into the causes of the late insurrection in that colony, and into the means adopted by the local government for its repression; but from the gravity of the circumstances which those inquiries have elicited, Your Committee express their opinion that it is expedient that they should be re-appointed next Session to pursue their investigation, and that means should be adopted in the interval by the Secretary of State to ensure the attendance before the Committee of the Queen's Advocate at Ceylon, of Captain Watson, and of such others whose evidence may be necessary to explain and establish the circumstances under which martial law was recently proclaimed in Ceylon, and to give information as to all proceedings which were thereon adopted by the Government."—(Mr. *Disraeli.*)

Question put, "That the words proposed to be left out, stand part of the motion."

The Committee divided.

Aye, 1.	Noes, 8.
Mr. Hume.	Sir J. Walmsley.
	Sir James Hogg.
	Mr. Disraeli.
	Mr. Hawes.
	Mr. Adderley.
	Mr. Wilson.
	Lord Hotham.
	Major Blackall.

So it passed in the negative.

Question put, That the words, "Your Committee regret that, from the termination of the Session, they have not been able to conclude their inquiries into the grievances in connexion with the administration and government of Ceylon, and especially into the causes of the late insurrection in that colony, and into the means adopted by the local government for its repression; but from the gravity of the circumstances which those inquiries have elicited, Your Committee express their opinion that it is expedient that they should

be re-appointed next Session to pursue their investigation, and that means should be adopted in the interval by the Secretary of State to ensure the attendance before the Committee of the Queen's Advocate at Ceylon, of Captain Watson, and of such others whose evidence may be necessary to explain and establish the circumstances under which martial law was recently proclaimed in Ceylon, and to give information as to all proceedings which were thereon adopted by the Government,"—(Mr. *Disraeli*) be inserted, instead of the words struck out.

It was resolved in the affirmative.

An amendment was proposed to be made by inserting after the name of "Captain Watson," the name of "Colonel Fraser."—(Lord *Hotham.*)

The Committee divided:

Ayes, 3.	Noes, 6.
Mr. Hume.	Sir James Hogg.
Sir J. Walmsley.	Mr. Disraeli.
Lord Hotham.	Mr. Hawes.
	Mr. Adderley.
	Mr. Wilson.
	Major Blackall.

So it passed in the negative.

Question put, "That the motion, as amended, be the Report of the Committee."

It was resolved in the affirmative.

A motion was made and the question was put, "That the Chairman be authorized and requested to communicate with Her Majesty's Secretary of State as to the necessary witnesses to be ordered home to give evidence before the Committee to be appointed in the ensuing Session."—(Mr. *Hume.*)

It was resolved in the affirmative.

A motion was made and the question being put, "That the Chairman do now leave the chair."

It was resolved in the affirmative.

To Report.

THIRD REPORT

FROM THE

SELECT COMMITTEE

ON

CEYLON AND BRITISH GUIANA,

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE.

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